The Outlook

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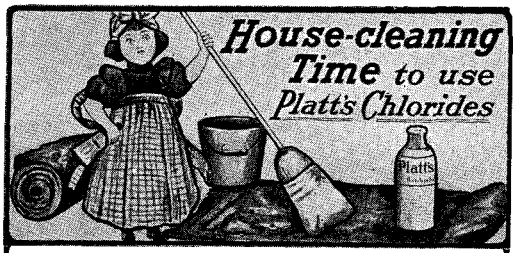

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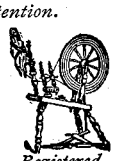

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The Outlook

SATURDAY, APRIL 29, 1905

The Ten-Hour Labor Decision

The Supreme Court of the United States has rendered, by a division of five to four, a decision that in a bakery or confectioner's establishment an employee may contract with his employer to work more than ten hours a day. This makes void that part of a law passed by the New York Legislature which provides that

> No employee shall be required or permitted to work in a biscuit, bread or cake bakery or confectionery establishment more than sixty hours in any one week, or more than ten hours in any one day, unless for the purpose of making a shorter work day on the last day of the week; nor more hours in any one week than will make an average of ten hours per day for the number of days during such week in which such employee shall work.

This provision was declared constitutional by the New York Court of Appeals over a year ago. It was sustained, in an opinion rendered by Judge Alton B. Parker, on the ground that it was a measure for the protection of public health. The other provisions of the law, regulating the plumbing, utensils, and general hygienic conditions of bakeshops, made this interpretation consistent. Mr. Justice Peckham, in speaking for the majority of the United States Supreme Court, which overrules the New York Court, says:

> We think the limit of the police power has been reached and passed in this case. There is, in our judgment, no reasonable foundation for holding this to be necessary or appropriate as a health law to safeguard the public health or the health of the individuals who are following the trade of a baker.

The Court recognizes the "somewhat vaguely termed police powers" of the States, but insists that these powers are limited by the Fourteenth Amendment of the Federal Constitution, which provides that no State can deprive any person of life, liberty, or property without due process of law. This liberty, it holds, cannot be denied unless its exercise is clearly shown to be a menace to the health, safety, or general welfare of the people. The long hours of labor in the trade of a baker or confectioner, in the judgment of the Court, cannot be proved to be in any peculiar sense such a menace. This law, the Court holds, is not a health law but a labor law, and as such is unconstitutional. In commenting on the decision of the New York Court The Outlook pointed out at the time that in this country to distinguish between what is necessary and what is unnecessary regulation for the public health is not a legislative function, as in England, but a judicial function. By this decision the Supreme Court accepts this function to such an extent that it does not give the legislative branch of the Government even the benefit of a doubt.

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The Dissenting Opinions

Quite as much interest attaches to the dissenting opinions in this case as to the decision itself. The fact that of the fourteen judges in the two courts which have passed upon the case seven are on one side and seven on the other alone gives to the dissenting view great importance. The nature of the case, moreover, which involves a somewhat arbitrary ruling as to the limits of the police powers of the State, brings into greater prominence than usual the individual inclinations of the judges. With the dissenting opinion expressed by Mr. Justice Harlan, Mr. Justice White and Mr. Justice Day concur. In general, it may be said that they hold, in contrast with the majority, that the burden of proof rests on those who would assert that a particular measure was not within the police powers of the State. "The rule is universal," writes Mr. Justice Harlan, "that a legislative enactment, Federal or State, is never to be disregarded or held invalid unless

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it be, beyond question, plainly and palpably in excess of legislative power." He continues:

> If there be doubt as to the validity of the statute, that doubt must therefore be resolved in favor of its validity, and the courts must keep their hands off, leaving the Legislature to meet the responsibility for unwise legislation.

In this particular case, these dissenting judges say, the people of New York expressed their belief that labor in excess of sixty hours a week in a bakery was injurious; and it does not lie in the province of the Court to say whether that belief is wise or unwise; that it is not extravagantly foolish is shown by expert views on the occupation of bakers, and by the frequent enactment of laws fixing for particular occupations "eight hours as the proper basis of a day's labor." To decide that this law is in conflict with the Fourteenth Amendment is, Mr. Justice Harlan avers, to extend the supervision of the Court and to curtail the responsible power of the State Legislatures. The result, he believes, will be mischievous; for it will "seriously cripple the inherent power of the States to care for the lives, health, and well-being of their citizens." Mr. Justice Holmes, in his separate dissenting opinion, goes even more fundamentally into the question at issue:

> This case is decided upon an economic theory which a large part of the country does not entertain. . . . It is settled by various decisions of this Court that State Constitutions and State laws may regulate life in many ways which we, as legislators, might think as injudicious, or, if you like, as tyrannical, as this, and which equally with this interfere with the liberty to contract.

After citing laws as illustrations of this fact (such as Sunday laws, school laws, a vaccination law), Mr. Justice Holmes continues:

> Some of these laws embody convictions or prejudices which judges are likely to share. Some may not. But a Constitution is not intended to embody a particular economic theory, whether of paternalism and the organic relation of the citizen to the State or of *laissez faire*.

That a theory of government or of economic order (such as a Socialistic theory) is "novel or even shocking" has, he maintains, nothing to do with the question whether it conflicts, if embodied in a statute, with the Constitution. "The Fourteenth Amendment," he tersely says, "does not enact Mr. Herbert Spencer's 'Social Statics.'" Since reasonable men can not only see in this statute a proper health measure, but also "uphold it as a first installment of a general regulation of the hours of work," and since no one could condemn it as an infringement on fundamental principles as understood by our traditions and laws, it ought to be sustained. A dominant opinion has, so to speak, the right of way, without regard to its orthodoxy.

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The Effect of the Decision

The statute which has thus been annulled is not like the ordinary law as to hours of labor, which declares how many hours shall constitute a working day, and which limits the hours of labor for the employees of the Federal, State, or municipal government. It distinctly makes it a punishable offense for any employer to "permit" an employee to labor beyond a certain length of time. It resembles the sort of legislation hedging about the employment of women and children. It is not merely definitive of "a day's work," as an interest law is definitive of "a year's interest;" it is regulative and prohibitory. The effect of the decision legally is, of course, to render this provision regarding the hours of employment in bakeries and confectioneries void; but in principle it will not be universally accepted. The fact that the judges of the two courts divided evenly, that they divided not on party lines, that the decision after all is applicable only to this particular method of regulating work in this particular occupation, leaves the question how far legislatures may interfere with individual contracts still open for public and popular discussion. Unfortunately, the immediate effect of the decision, The Outlook fears, will be to increase the power of those labor leaders who are distrustful of the courts and who are prone to appeal to the strike as the effective weapon for securing justice. It may, too, give impulse to the Socialistic movement, since, if the people were to own the implements of labor and

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conduct the operation of industries, they would have, without question, control of the hours and conditions of labor. Those people of conservative tendencies who welcome this decision as a blow to Socialism and as a weakening of the power of labor unions will, we think, be disappointed.

❀

"Company Stores" of the Right Kind

Readers of The Outlook interested in the labor question will recall that one of the frequent sources of friction between employers and laborers in great corporations whose works are situated at a distance from the trading centers has been the "company store." Mining and lumbering companies have frequently maintained stores of general merchandise at which their pay-checks were cashed in goods, not money. In some instances employees have asserted that they were forced to buy all their supplies at the company stores. In many instances it has been proved that groceries and other goods have been sold at these company stores at a higher than the market price, and the profits thus made have been turned into the treasury of the company to reduce their labor expenses. The company store has, no doubt, been a convenience to the men; but it is equally sure that it has often been abused by selfish corporations, and has worked hardship and injustice upon the laborers. Dr. Grenfell, the Labrador medical missionary, has very graphically shown how some of the great trading corporations in the North have practically made the fishermen and trappers in that region slaves, through the medium of the company store. The attention of The Outlook has just been brought to a very interesting experiment carried on by a large marble company in Vermont, which employs about 2,500 hands—the Vermont Marble Company. The headquarters of the business is in a village isolated from trading centers. The company now maintains three general stores for the convenience of its employees, and for several years it endeavored to sell staple goods at the market price, frequently at a lower than market price, reserving for its lowest margin of profit what a safe business would warrant.

An Experiment in Profit-Sharing

About two years ago, through the death of Herr Krupp, of Germany, the company learned of the scheme of Herr Krupp for the division among employees of the profits of the stores of the company of which he was the head, and at once the system was introduced by the Vermont concern into its three stores. Committees of employees were formed to assist in the management of the business, and it was determined to turn the entire profits of each store over to the employees trading at these stores, in proportion to their purchases. The company does not, however, divide profits among customers who are not employees of the company. The total sales for the first eight months—that is, from May 1, 1903, to January 1, 1904—were $251,620.11, of which $179,716.38 were sales to employees of the company, and the balance of $71,903.73 were sales to non-employees. The profits from the business of the three stores, including sales to both employees and non-employees, were, for the same period, $16,296, or 6 4-10 per cent. of the entire sales. The dividends resulting from this profit were paid to the employees in January, 1904, by bank check. A similar dividend on the profits of 1904 was paid to employees of the company in cash in the month of January, 1905, while the dividend to the employees on their purchases has averaged, in both years, at the three stores, over nine per cent. With the dividend there has been delivered both years to each trading employee a printed statement signed by the respective committees, showing the details of the business done and the settlement of the same, with the amount of the employee's purchases and dividend filled in. By this system the employee gets, not only the profit on the goods he buys, but the profit on sales made to non-employees. The company retains no financial interest whatever in the profits of the stores, except a reasonable rent for the store building and four per cent. interest upon the capital actually invested in the business. Thus a possible suspicion of self-interest on the part of the company is eliminated. The managers of the company feel that these

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stores have now been carried on long enough to demonstrate their practical success. Co-operative stores have long been profitable and popular in England, conducted on a purely business basis, without any altruistic motive whatever. It is clear from the experience of this Vermont company that the principle of commercial co-operation may be combined with the spirit of altruism in a practical fashion. Whatever advantage the company gets from this altruistic work is found in the greater content and happiness of the employees, their consequent greater efficiency, and their increased loyalty to the company for which they are working.

❀

Senator Platt of Connecticut

The United States Senate could ill afford to lose from its group of men of the first importance Senator Orville Hitchcock Platt, of Connecticut, who died at his home in that State on Friday night of last week after an illness begun probably by his attendance at the funeral of the late Senator Hawley, his lifelong friend and for many years his associate. While Senator Platt was not a man of the very first order of intellect, his ability was of a high class. He had been so long in public life as to have acquired great experience, which he had thoroughly rationalized. He was a man of statesmanlike instincts and incorruptible integrity. In no sense brilliant, and without that captivating personal quality which is associated with the names of Clay and Blaine, he evoked the warmest friendships, and had established himself as very few men in the Senate had succeeded in doing in the confidence and respect of his associates. His services to the country were conspicuous and manifold; and in late years, when the patience of the country has been sorely tried by the Senate, and when that body has received accessions of men of very questionable careers, Senator Platt was looked upon by the whole country as one who could be trusted to care for its interests. He belonged to the old school of public men. He was not a business man in politics, as were Senators Quay and Hanna, and as is Senator Bulkeley, his associate. He was not disregardful of business interests, but the country represented something more to him than the entire mass of its material activities. A member of the Senate for more than a quarter of a century, he has saved the country millions of dollars by his assiduous and competent study of appropriations. He has modified and redrafted legislation of importance. The amendment which secured the integrity of Cuba bears his name, and the writing men of the country and its artists will remember his service to the copyright cause at a time when it was in sore need of friends in public life; he was the resolute friend of the Indian. Born in Connecticut, spending his boyhood on a farm, educated at The Gunnery, then, as now, a well-known school, preparing himself for law, and first admitted to the bar of Pennsylvania, he entered upon the practice of his profession in Connecticut fifty-four years ago. Four years later he took public service as Clerk of the State Senate of Connecticut, was elected to the United States Senate in 1879, and re-elected four times. The distinction of his character and of his career is brought in more striking contrast by the recent election of his colleague, Mr. Bulkeley; and at a time when the whole country is profoundly stirred by evidences of commercial dishonesty in so many directions, the going of a man like Senator Platt is a reduction of its moral capital at the beginning of a great moral campaign.

❀

A Foolish Law Invalidated

The anti-cigarette law of Indiana, which forbids any one to be concerned in any way in owning or keeping cigarette paper or wrappers, was maimed by the decision of a State court last week. A man not a dealer in tobacco was arrested and charged with violating the law by having the "makings" of cigarettes on his person. He did not deny the charge, but averred that the law did not apply to him. The court decided in his favor on the ground that the provision under which he was arrested applied only to dealers; it could hardly have decided otherwise. Such foolish attempts to regu-

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late personal habits by law weaken all sane attempts to give legitimate sanction by law to social morality. The failure of this law will make it harder than it otherwise would have been to pass many a bill of great merit and pressing importance. Such an incident makes one wonder when legislatures will cease to rely upon the courts to save them from their own acts of thoughtlessness and bad judgment.

❀

A Weak Defense of a Bad Measure

Governor Higgins, of New York, has signed the Stock Transfer Bill, which provides for levying a special tax upon all sales or transfers of shares of stock of corporations made hereafter in the State. The Governor accompanies his signature of the bill with a memorandum giving his reasons for approving it, and answering some of the arguments that have been brought forward against it. He says in part: "Similar taxes are levied in other countries and were levied in the United States under the War Revenue Tax Law. . . . It has been asserted that even as small a tax as imposed by this act must either stop the business almost entirely or drive it out of the city. The experience with taxes of this sort on the Continent of Europe does not seem to indicate that the business of stock-brokers has been suppressed or even seriously checked by them. . . . It is generally conceded that the imposition of a like tax by Congress during the Spanish War did not drive business out of the United States, and did not cause great hardship to those dealing in stocks." Governor Higgins evidently fails to see the vital difference between the two instances of taxation which he cites and the present law. Similar taxes are levied in other countries, but in these cases taxation falls uniformly throughout the country and not on a particular locality. The same was true of the tax on stock transfers imposed during the Spanish War. A uniform tax on all stock transfers, applying equally to all localities, may be economically bad, but at least there is no injustice in its application. A tax which falls upon the city of New York alone, and which Hoboken, Chicago, Philadelphia, and Boston are not subject to, is not only unjust to the business interests which it affects, but is a danger to the prosperity of the entire State. Governor Higgins's attempt to justify this method of taxation by reference to a purely temporary emergency measure for raising revenue for war purposes is as surprising as it is ineffective. The Governor's final argument, if such it can be called, is that "a State tax of this kind is undoubtedly to some degree experimental in its character." If it works well, it will work well. If it does not, "the deliberations and recommendations of the Commission to consider revenue and taxation, which I trust will be provided for at the present session of the Legislature, will suggest a more equitable and productive substitute." Surely it is a surprising reason for enacting a measure that if it does not turn out well something better can be found to take its place. Governor Higgins does not attempt to meet the argument advanced against the bill on economic grounds, which seems to The Outlook conclusive. Leaving out of consideration entirely the question of injustice to New York City, this tax is wrong because it is a tax on energy or industry, and not on wealth. If stock-selling is to be taxed, the selling of any other commodity may be taxed. The extension of this form of taxation would be a violation of sound economic principles which could not fail to be disastrous. This memorandum is a confession of weakness on the part of those who advocate this form of taxation, and only strengthens The Outlook in its opinion that the measure is a vicious one. The suggestion which has been made by Governor Higgins, and to which he refers in this memorandum, for a State Commission to make a thorough investigation of the question of revenue and taxation, and prepare a comprehensive and coherent plan by which revenue shall be raised, is an excellent one. The present haphazard method of fixing taxation, of which the stock transfer tax and the mortgage tax are examples, must almost inevitably result in conditions which are inequitable and dangerous to the welfare of the State.

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The Limits of Neutrality

The events of last week illustrate forcibly the indefiniteness of international law in its present state. Japan patiently refrained from remonstrating against what might well have seemed to her a stretching of neutral hospitality on the part of France during Admiral Rojesvensky's stay of many weeks at Madagascar, where the Russian Baltic fleet was not only coaled and provisioned, but lay for weeks off French ports while her crews were disciplined and trained. It may be that Japan wished to put no obstacle to the advance of the Russian fleet to the China Sea, confidently believing that it could there be defeated. However this may be, the technical defense that France would have interposed, if it had been called for, was that Russia's ships lay three miles off the coast. This three-mile limit is purely arbitrary and traditional; founded originally on the fact that the shipping of a port was not in danger from guns three miles off, it has, since the improvement of modern artillery, become absolutely meaningless. But even this defense does not seem to be available for the use by the Russians of Kamranh Bay in French Indo-China, for there seems to be good evidence that, while some of the vessels stayed outside the harbor, the main fleet used it just as it pleased, and that for the space of about ten days. Colliers met the fleet at Kamranh Bay as an appointed rendezvous; provisions were freely purchased; in every way the fleet was fitted out for the impending battle, and finally sailed forth, it is reported, last Saturday afternoon, probably leaving behind all that could impede its efficiency as a fighting force. Naturally, Japan, through its representative in Paris, remonstrated, but not formally, and apparently with great courtesy. The French authorities responded quickly; pointed out that at such a distance and in a place remote from civilization it was impossible to know just what was going on or to act rapidly; gave the politest possible assurance of France's intention to preserve neutrality, and called Russia's attention to the situation. Russia in turn disavowed any intention of using French ports unfairly, sent peremptory orders to Admiral Rojesvensky to leave French territorial waters, and professed the utmost desire to observe the rules of neutrality. All this as a practical factor in the war is very much like shutting the stable door after the horse has been stolen. The Russian naval force has had from French Indo-China just what it desired and apparently all it desired—a place for rest and refitting after one long voyage and before another should begin or a great battle should take place. In deciding what France might or might not rightly do in the way of allowing the Russians the use of its ports, it must be remembered that there is no such thing as a fixed code of international law. Some things are agreed upon by all civilized nations, such as that a flag of truce must be respected, or that the wounded on a field of battle must not be killed; but in most matters a nation is governed by its own public declarations or by its treaties with other nations. In this case there is no evidence that France is bound by the rule followed voluntarily by some other nations; namely, that the ships of a country at war may stay only one day in a neutral harbor. We have not at hand the text of France's declaration of neutrality at the beginning of this war, but it seems certain that it does not contain such a provision. Moreover, the French diplomats may argue that under prevailing international practice the Russian ships were entitled to coal for a voyage to the next Russian port—which in this case would be Vladivostok—a voyage so long that considerable time would be necessary for the coaling. But, after all, it can hardly be denied that France's friendship and conditional alliance with Russia have inclined her to be lenient in enforcing the rules by which she admits that French conduct should be bound. It would be curious to learn what France would say if Great Britain were to allow the Japanese ships to use Hongkong as Russia has used Kamranh Bay.

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M. Delcassé

During the past week interest on the Continent of Europe has centered in Paris, where the attitude of Germany in regard to the French in

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Morocco at one time threatened to bring about a political crisis of serious character. The French Minister of Foreign Affairs, M. Delcassé, placed his resignation in the hands of President Loubet, and it looked for a time as if France might lose the leadership of one of its sanest statesmen, a diplomat of great ability and of pacific temper. The resignation was due to the attacks, largely of Republican deputies, on his policy in Morocco, which promised to embarrass his action at a moment when he needed not only the unbroken moral strength of the country behind him, but the freest play for his peculiar talent as a diplomatist. His threatened resignation brought his critics to their senses, and they have practically clothed him with power to deal with the situation as his judgment requires. He has shown his usual promptness and sagacity by an energetic protest to St. Petersburg against the stay of the Russian fleet in French waters, and he has probably terminated an incident which at one time promised serious complications. France, it is clear, while not unwilling to aid Russia to the limit of her power, does not mean to be drawn into any complications which may lead to war. Popular indignation against the reactionary course of the bureaucracy and popular sympathy with the political aspirations of the Russian people, to say nothing of the fact of an investment of sixteen hundred millions of French money in Russian securities, make France reluctant to widen the area of the conflict or to increase possible disasters.

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A Significant Movement

In Russia the most significant event of the week was the formation of a professional reform league, including lawyers, physicians, teachers, engineers, and other professional classes, the object of which is to secure a representative parliament of some form and a responsible ministry. This movement was originated by the national congress of lawyers which met the week before in St. Petersburg and continued in session in direct violation of police orders. Nearly one hundred and seventy-five delegates, representing every judicial district in Russia except Siberia, were present, a national legal association was organized, and a central bureau of thirteen elected with power to create a central committee to draft plans for permanent organization. The leaders of the movement contemplate, according to their statement, no assault on the monarchical form of government or disloyalty to the Empire, but the abolition of arbitrary government and the recognition of the people to have a share in legislation affecting the budget and taxation. Meetings were held in private houses; and the session, held in defiance of police orders and representing all the learned professions, is regarded as one of the most significant signs of the time.

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The African Way

The Outlook recently reported the far-sighted spirit with which the section about the Falls of the Zambesi has been treated—the forming of a great park, the erection of hotels, and the laying out of roads with reference, not to immediate utilities, but to ultimate and permanent values. The treatment of the railroad problem is a further illustration of the same far-seeing method of dealing with a great natural possession, and is in striking contrast with our short-sighted defacement of Niagara Falls. A railroad from the Cape to Cairo is of the utmost importance; the building of a bridge over the river was a necessity to the completion of that road. The argument commonly heard in this country would have been that the commercial interests of the situation and the supreme importance of the railroad justified the sacrifice of the sublimity and beauty of the country. The men who have charge of this great enterprise were by no means indifferent to the practical importance and the pressing necessity of the railroad; they have secured the bridge, and they have also preserved intact the majesty of one of the greatest spectacles in the world. Under rigid orders, no trees were destroyed or mutilated; the bridge was designed in such a way as to harmonize it as far as possible with its surroundings and to make it unobtrusive; the buildings needed for permanent use

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were erected from designs furnished by men who had studied their artistic possibilities; and the entire work has been planned and carried out under the supervision of expert landscape gardeners. The needs of commerce and provision for the development of the country have been made without destroying the country they were planning to develop. In striking contrast to this far-sighted treatment of a great natural possession is the measure lately before the Legislature of the State of New York, which, had it passed, would have reduced the volume of water which pours over the American Fall until it would present, not the majesty of a great torrent, but a mere dribble of water over a face of rocks. The singular thing about the projected destruction of Niagara is the stupid indifference to the permanent value of the Falls; the stupid squandering of a capital of beauty which ought to be a possession for the whole country, not a mere feeder of certain local utilities.

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A Great Art School

Signs of a deepening and widening interest of Americans in art matters of all kinds multiply in different sections of the country. The very interesting announcement has recently been made that plans for a school of fine arts on a large scale in New York have been for some time under consideration and are rapidly approaching completion. It is proposed, by the co-operation of the Metropolitan Museum of Art, the National Academy of Design, and Columbia University, to establish and maintain a school of art with the amplest facilities and on the highest plane. The general design originated with President Butler, and involves, through the co-operation of the three institutions, the building up at the Metropolitan Museum of collections which shall have educational as well as exhibit value, accompanied by university lectures upon the history of art, archæology, and inscriptions; Columbia itself to organize and develop instruction in the principles of æsthetics, in the history of art, and in all auxiliary subjects; the formal co-operation of Columbia and the Academy of Design to be effected in order that the arts of painting, sculpture, and decoration may be taught as university subjects in the university atmosphere by the best masters, for the purpose of securing the education of artists by artists through the personal contact of pupil and master. Columbia, after three years of careful deliberation, has matured a plan for the reorganization of its Department of Architecture, involving the application of the studio system which has proved so successful in Italy and in France, and proposes to establish professorships of painting, sculpture, and decoration. This plan was submitted to President Dielman, of the National Academy of Design, and to the Trustees of the Metropolitan Museum, who have appointed a committee to confer with a committee of Columbia University Trustees. The project was submitted in outline to Sir Purdon Clarke during his recent visit in New York, and he is understood to have expressed great satisfaction with it. If this plan is carried out in its entirety, a fine arts building will be erected by Columbia University in South Field, probably at Broadway and One Hundred and Sixteenth Street, in which instruction in architecture, archæology, painting, sculpture, and the arts of decoration will be given.

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Scope of the Plan

This plan has received the explicit approval of many New York artists, among them Messrs. Blashfield, French, St. Gaudens, Millet, and Gilbert. Mr. Henry Rutgers Marshall, who has been actively interested in the scheme, says that under the proposed arrangement Columbia would support the lectureships on the theory and the history of art, while the Academy would take care of the purely creative part of the students' work, the Metropolitan largely increasing its facilities to students at the same time; and it is his opinion that the opportunities now afforded should create in New York one of the leading art schools of the world. The best men can be secured for text-book and formal instruction, and the best artists for studio training and instruction in creative work. The Academy would gain by demanding of its higher students

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knowledge of the history of art as a whole, and it would be relieved of a good deal of work in primary courses. Mr. Kenyon Cox points out that under the proposed scheme the Academy will not be absorbed and that only its art schools are to be located on Morningside Heights. The plan involves a building capacious enough to provide facilities for the schools of the Academy and for the Columbia courses in the fine arts, the site for such a building to be given by Columbia. It is believed that all the advantages of concentration and the avoidance of duplication would be gained without any loss of the individuality of the various institutions associated. The scope and dignity of such a federation of three great institutions would certainly give art education in New York not only authority but great forward impulse. New York is now the center of the greatest art activity in the country, and, by reason of its position, resources, ahd freedom to utilize the experience of all other schools, may reasonably hope to found and develop an art school of the first rank.

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An Endowment for Sculpture

While New York is planning large things for its artistic development, Chicago does not lag behind. No American city has a more highly developed community spirit than the energetic capital of the Central West. By the will of a Chicago citizen a trust fund of $1,000,000 has been created, to be expended by the Trustees of the Art Institute, to be known as the "B. F. Ferguson Monument Fund," and to be used "entirely and exclusively under the direction of the Board of Trustees of the Art Institute of Chicago in the erection and maintenance of enduring statuary and monuments of stone, granite, or bronze, in the parks, along the boulevards, and in other public places, commemorating worthy men and women of America or important events of American history." This fund assures a sufficient income to permit continual enrichment at short intervals of the monumental side of Chicago. No city in the world has planned a more comprehensive park system; these parks need artistic embellishment; they furnish many sites for arches, columns, and statues. The generosity of Mr. Ferguson furnishes a basis upon which to plan large things. The bequest is ample enough to secure the co-operation of the first artists; no other city has such a fund. The dangers of improper use from an artistic standpoint are obviated by placing the expenditure of the income in the hands of the Trustees of the Art Institute. Mr. French, the Director of the Institute, is of the opinion that the city's future in art is assured; that the fund will give encouragement to the local sculptors and will direct and stimulate the work of the best sculptors elsewhere. In addition to the supervision of the Trustees of the Art Institute, no statue can be placed in any Chicago park or along any boulevard connected with the park system until it has been approved by the Park Commission and by the Municipal Art Commission. It would seem as if no room were left for the blunders of the past, and as if the fund would make possible a comprehensive plan for the adornment of a great modern city. A few years ago such a sum of money to be spent on statues or arches would have secured an invasion of barbarities, but so rapid has been the growth of art taste and the education in art matters that, under the provisions of the Ferguson bequest, Chicago is likely to secure nothing of which she might not well be proud.

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School Reforms in Philadelphia

A marked advance in the public schools of Philadelphia should result from the bill just passed by the Legislature of Pennsylvania. After ten years of steady agitation, culminating in an appeal to the public by the teachers last December, school reorganization is to be effected in January, 1906. The effect of the new legislation will be to provide more money and better business management for the public schools. The bill was prepared by an Educational Commission of five, appointed by the Board of Education last January, and representative of all interests. Two public hearings were held, at which educators, organizations, and individuals were

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invited to submit their views. As a result both of the character of the Commission, of which Professor Martin G. Brumbaugh was the educational member, and of the sincerity of its effort to meet the present difficulties, the bill framed has had the support of all interests, and it has now been approved by the Governor. Being of necessity a compromise measure, its omissions, especially on the professional side, were a disappointment to the educational interests, and some of its best features—notably the absolute control of the money by the Board of Education—have been taken out by the Legislature in order to further appease political interests and so secure its passage; but what is left represents a very great gain. By the new bill the Board of Education is to be appointed, as now, by the Judges of the Courts of Common Pleas, but the number is to be reduced to twenty-one members, seven to be appointed each year for three-year terms, and all to be chosen at large instead of, as now, by wards. The duties of the Board are to be legislative, not executive. For executive duties the Board is to appoint executive officers—Superintendents of Schools, of Buildings, and of Supplies—who are to be by law responsible for the conduct of their respective departments. Being responsible, they have also some power, and are authorized from time to time to submit such plans and suggestions for the improvement of the schools and school system as they deem expedient. The forty-two Sectional Boards, one for each ward, are to remain, but are to retain no executive functions except the appointment of janitors. Sectional Board members are to visit their schools quarterly and to report annually the conditions, efficiency, and wants of their sections. In regard to instruction, the supervision is improved by provision for district superintendents, who are to have a voice in the Sectional Boards of their respective districts. Graded lists of eligible teachers are also provided for, appointments being made from the first three upon the appropriate list. A teachers' retirement fund is created. The Superintendent of Buildings must be an engineer or architect. He has the appointment of his own assistants, as has also the Superintendent of Supplies. Construction plans must be approved by the Superintendents of both Buildings and Schools. The financial deficiencies of the present system—an income that is utterly inadequate and of uncertain amount—are to be met by the definite apportionment to the schools by the City Council of not less than five mills per dollar of the tax on all real estate.

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The Gain Made The gains that will be made meet many of the most important needs of public education in Philadelphia to-day. The most important is the financial gain. The schools will for the first time receive adequate support; the steady increase of school population will for the first time be provided for, by an automatically increasing amount of money; and the Board of Education will be able to predict its income and hence to exercise foresight in expenditures. The gain in business management is also important because of the recognition of some of the principles now generally accepted as fundamental to a good city school system. The important principles recognized by the new legislation are the necessity for fixing responsibility, by concentrating authority and responsibility in the same hands, the advantage of employing experts for executive work, and the superior importance of efficiency and unity to sectional representation. On the other hand, the bill is but a step in the line of advances needed and urged by the educational interests, led by the Public Education Association. A smaller Board, complete control of appropriations, and a regular provision for sites and construction, by the appropriation of an additional mill from the annual tax, are asked. A fixed term is urged for the Superintendents and their assistants, and also statutory power for the Board of Superintendents to appoint, promote, and dismiss teachers, to determine the course of study, and to select the educational supplies. Similar powers in their respective departments remain to be assured to the Superintendents of Buildings and of Supplies. For teachers the

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additional inducements of tenure of office during good behavior, and promotion for merit—even more valued than appointment by merit—are desired. An examining board, independent of the appointing power, to determine the relative fitness of all employees, including not only teachers but also clerks, janitors, and attendance officers, is regarded as of great importance.

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Sunday Closing in Missouri

The closing of the saloons of Kansas City and St. Louis, Missouri, on Sundays is part of the programme of law enforcement to which Governor Folk has steadily adhered since his first appearance in public life. When he was nominated for the position of Circuit Attorney of St. Louis, he announced that he proposed to enforce the law, and after his election he carried out his pledge, though his action involved the prosecution of politicians who had supported him under the impression that his promises were insincere. He made his canvass for Governor of Missouri on the same platform of law enforcement, with the explanation that if the law were bad the remedy lay in repealing it, not in ignoring it. At the conclusion of the recent session of the Legislature the Governor directed his attention to enforcing the statute which requires the closing of all dramshops from midnight on Saturday to midnight on Sunday. The political influence of the brewers and saloon-keepers of St. Louis and Kansas City had always been so great as to enable them to ignore the law, since they not only had controlled a large number of votes, but also had been large contributors to campaign funds. The Governor, however, has full power to enforce the Sunday closing statute, through his appointment of the Police and Excise Commissioners of the large cities. It is unnecessary to depend on court proceedings for punishment of violators of the statute. The licenses of offenders may be summarily revoked by the Excise Commissioners. In Kansas City the Sunday closing order was obeyed without question from the outset, and a newly elected Mayor of Kansas City, Kansas, has announced his intention of co-operating with the Missouri authorities by keeping the illegal saloons on the Kansas side of the line closed on Sunday. In St. Louis the order was not taken seriously on the first Sunday after it was promulgated. The power of the brewers in that city has been so great that it was not generally supposed that the Governor would undertake to fight them. But his announcement that, if necessary, he would spend Sunday in St. Louis, convinced the saloon men of their mistake, and on the second Sunday the order was almost universally observed. The most obvious effect of the innovation has been in the great reduction in Sunday crime both in St. Louis and in Kansas City. This has been reflected in the enormous falling off in the number of cases on the Monday morning police court docket in both cities. A Kansas City policeman referred to another aspect of the question when he remarked that on his beat there was more money now for food and clothes for the wives and children.

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Joseph Jefferson

Joseph Jefferson was not only the foremost actor on the American stage for several decades, but he was probably the best-beloved man in the country, and both his popularity and the affection in which he was held were gained without the slightest compromise of the integrity of his nature or of his art. His success as a man and an artist is a refutation of the cynical but misleading statement so often made that to succeed one must compromise his ideals or his character. This was not true of Booth, of Modjeska, of Miss Anderson, of Irving, of Salvini, or of Ristori. It has, in fact, been true of no great artist, but it is so often made that, like a great many false statements, by mere iteration it seems to have gained something of the authority of truth. Jefferson was, to begin with, a transparently good man. The roots of his art and its ultimate charm were in his own nature. He achieved the finest effects by the simplest means, and the most delicate resources of the technique of the art of which he was a master were used not to conceal but to convey what

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was deepest and most individual in his spirit. There could not have been a more exacting test than the character of Rip Van Winkle, with which he was so long and so intimately identified. He has not only been for two generations of Americans Rip Van Winkle personified, but he will be, by tradition, to the end of time the actual Rip Van Winkle. In the hands of an insincere, affected, or inferior actor the character would have been a mere burlesque of true comedy, a tipsy vagabond. In Mr. Jefferson's exquisite delineation Rip became one of the most affecting human figures. Without losing the instincts of the vagabond, he conveyed a sense of the natural tenderness of the unspoiled human heart and the pathos of the human career undirected by will, which will remain one of the great traditions of the American stage. When Mr. Jefferson was asked, not long ago, if he did not tire of playing Rip Van Winkle, he promptly answered, "If I ever find myself growing tired of Rip, I shall stop playing it;" and then he went on to reveal unconsciously the sources of the charm of his acting: the beautiful simplicity of his nature, the unspoiled element of childlike unconsciousness in his art, his unaffected tenderness of spirit. "If I ever awaken," he said, "at the end of that sleep and do not feel surprised myself at my surroundings, I shall stop acting." It was this element of immortal freshness in the heart of the man, preserved by the childlike simplicity and purity of his nature, which kept the charm of his art to the very end. He had lost the physical vivacity of his earlier years; something of the frolicsomeness and joviality had gone out of the later Rip, but not a particle of pathos and humor.

No actor ever took his life more simply than Jefferson. Dying at the age of seventy-six, he had been on the stage more than two generations; for he made his first appearance in a theater in Washington in his fifth year. He used to say, with characteristic humor, that he was really responsible for the Spanish War, because in the first part that he took as a young man he so outrageously misinterpreted the Spanish manner and spirit. At twenty he was a member of a stock company at the National Theater in New York City. As a young man he was playing Dr. Pangloss, Caleb Plummer, Bob Brierly, Golightly, and Bob Acres—in which, as in Caleb Plummer, he achieved distinct success. His father and his grandfather had been actors of distinction. His great-grandfather was a man of extraordinary mimic abilities. Living in a provincial English town, he possessed such natural powers of personification that when he went up to London and stopped at a well-known inn, his arrival was always hailed with delight and his visit was a long hilarity. On one of these occasions, when roars of laughter were greeting his sallies, Garrick, with some friends, was supping in an upper room. The actor's curiosity was aroused by the merriment below, and he sent for the landlord and inquired the occasion of it. The landlord told him something about Jefferson, whereupon the great actor invited the young and unknown Mr. Jefferson to join him, and from that moment, for four generations, the Jeffersons have been prominent in the dramatic world.

There was an old play which centered about the character of Rip Van Winkle, which had interested a number of actors, including Hackett and Charles Burke, but in which none of them had succeeded. At the suggestion of Jefferson, who thought he saw great possibilities in the part, that expert playwright and fascinating actor, Dion Boucicault, wrote a new version, which Jefferson produced at the Adelphi Theater, London, in September, 1865. The play instantly captivated the English public and gave Jefferson an English reputation. From that day he became Rip Van Winkle. He tried many times to get away from the part, but the public demand always drove him back to it. And the public was right; for, however charming his impersonations of other rôles, Rip Van Winkle was the express image of his dramatic art, the beautiful and unaffected outlet for his pathos, his humor, and his gentle humanity. It was seen in all parts of the United States, and whenever it was seen it captivated young and old. No actor was probably ever so well

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known by children as Joe Jefferson; partly because he personated one of the few legendary characters in America, partly because he interpreted it in terms of human expression so simple that a child could understand, partly because he was a child himself. His natural gayety, unaffected goodness, generosity, and sweetness of nature bound a host of friends to him with bands of steel; and it is their common judgment that among all the men they have known, none more happily personified the disposition, aims, and qualities of a good man. He made goodness captivating because it was so entirely free from professionalism. Virtue seemed to come to him by instinct rather than by grace; it was an effusion of his spirit rather than a quality imparted by the action of his will.

Not many months before his death he advised one of his friends, as soon as he passed seventy, to cultivate a garden. "The saddest thing in old age," he said with a smile, as if nothing were wholly sad, "is the absence of expectation. You no longer look forward to things. Now, a garden," he added, with whimsical humor, "is all expectation; therefore I have become a devoted gardener." He was also an artist of considerable accomplishment, who found great joy in his facility in painting. He was a book-lover and the friend of lovers of books. He was a clubman who drew about him on all occasions when he appeared a circle ready to be silent if he would speak. As a story-teller he had few equals; his power of mimicry, his ability to get himself out of the way, his sense of humor, combining to make him one of the best expositors of a humorous situation and one of the most fascinating interpreters of a humorous character. It was impossible to be in his society without rendering him that tribute of admiration touched with affection which is never evoked by ability alone, but always by ability rooted in virtue. Devoid of selfishness and eager to share any kind of success, such a man redeems his time and adorns his profession; and Joseph Jefferson will remain a beautiful memory now that he has passed from a stage to which he has given distinction for two generations.

Zacchæus

In your editorial entitled "Judge Not" you seem to be unfortunate in your citations from the Bible. When the woman of the town used the costly ointment on Jesus' feet, she showed every indication of repentance of her past life. Zacchæus's offer to give half his fortune to the poor was a proof that he had repented of his sinful career. Does the proffered gift of Mr. Rockefeller indicate repentance of the methods of the Standard Oil Company and a promise to discontinue those methods? E. P. C.

There appeared in the first century, in Palestine, a remarkable Rabbi. The religion of the people had hardened into a cast-iron conventionalism; and this Rabbi was the most unconventional of men. He preached anywhere and to anybody: in the fields, in a house, from the prow of a fishing-boat; to orthodox and heretics, to men and women, to pious Pharisees and corrupt politicians and folk of dissolute lives. He not only preached to them, he made them his companions; went into their homes; ate at their tables; associated with them on equal terms. He regarded sin rather as a disease than as a crime; it awakened his pity, not his wrath. Only one form of sin, that of religious false pretense, stirred his indignation, and even that indignation was mingled with pity. All sorts of stories were rife about him; all sorts of charges were circulated against him. He was accused of being uneducated and unfit to preach; of being himself a loose-liver, a glutton and a wine-bibber; of being a teacher of lawlessness and a stirrer up of sedition; of being a blasphemer and in league with the devil. But in spite of it all he was extraordinarily popular. Wherever he went crowds followed him, partly attracted by curiosity, partly by the cures he wrought, but partly, it is very certain, by his charitable spirit, so unlike the censorious spirit of the teachers of his time, by his faith in all sorts and conditions of men and his hope for them, by his habit of seeing good in men in whom other religious teachers saw nothing but evil, by his habit of looking upon their sins as misfortunes from which he wished to succor them.

One day it was reported that this Rabbi was approaching Jericho on his way to Jerusalem. Jericho was a curious,

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composite city—a town of priests who entertained no doubts of their own sacredness, and of politicians whose conduct allowed no one else to doubt their corruption and their flagrant disregard of human rights. The rumor of this Rabbi's approach brought a great crowd upon the streets. Among them was one of these corrupt politicians, who had amassed a not inconsiderable wealth by robbing the poor. He was a little man; his wealth won for him no distinction with the rabble; hustled by them, as the crowd always like to hustle such a man when they can get a chance, he took refuge from them, and sought a post of vantage for himself, by climbing a tree to see the famous Rabbi as he passed by. When the Rabbi came to the spot, he looked up, saw the rich sinner in his leafy watch-tower, and called to him to come down. "I will be your guest today," he said. No wonder the town was shocked: the men of religious note in this city of ecclesiastics all passed by, and the robber of the poor chosen to be the Rabbi's host! To a slight put on the ecclesiastics the crowd might not have objected; but to honor put upon this corrupt and oppressive politician they decidedly objected. "They *all* murmured, saying, He is gone in to lodge with a man that is a sinner."

The world did not understand this strange Rabbi then, and it has not understood him very well since. But the act was very characteristic. Jesus never waited for men to repent before he offered them his friendship. He never waited for men to come half way before he went to meet them. The fact that this rich reprobate was curious to see him gave him all the opportunity he asked for; and he seized it. The sequel justified his action. Startled by honor in a place where he had met before only envy for his wealth and indignation for his rapacity, Zacchæus promised to restore fourfold to those he had robbed, if he could find them, and to give half his remaining fortune to the poor. But this repentance did not precede, it followed, the honor Jesus did to him. Jesus lodged with Zacchæus not because Zacchæus had repented; Zacchæus repented because Jesus lodged with him.

This was habitually Christ's method. His forgiveness led men to repentance. He compared himself to a shepherd seeking the sheep who is willfully wandering away from the fold; to a woman searching for the coin misplaced, defaced, lost in the dark and dirty corner of her cabin. He compared himself to a physician who seeks for the sick that he may discover to them that they are sick and may heal them. Once the Pharisees brought to him a woman taken in the very act of adultery, for his judgment. "Let him that is without sin among you," he said, "cast the first stone." No one accepted the challenge. And when the accusers had gone out silently, one by one, Jesus turned to the woman. He uttered no word of rebuke; he demanded from her no pledge. "Hath no man condemned thee?" he said. "No man, Lord." "Neither do I condemn thee: go, and sin no more."

Is not, then, forgiveness of sin conditioned on repentance? That depends upon what we mean by forgiveness. Forgiveness properly means the remission of sin, the sending away of sin. Man is sick; sin is the disease; forgiveness is the cure. Man is a slave; sin is the slave-driver; forgiveness is setting the slave free. This is what the Gospel means by forgiveness; and if this is what we mean by forgiveness, the forgiveness is conditioned on repentance, because not even God can set us free from our sins unless we will let them go. Repentance is letting them go. But if by forgiveness we mean good will toward the wrong-doer, it is not conditioned on repentance. The mother who tells her little child, "If you do wrong God will not love you," makes a serious mistake. What she should say is, "God loves you, therefore you should not do wrong."

"The goodness of God leadeth to repentance." "God commendeth his love for us, in that, while we were yet sinners, Christ died for us." "God, who is rich in mercy, for his great love wherewith he loved us, even when we were dead in sins, hath quickened us together with Christ." "Herein is love, not that we loved God, but that he loved us, and sent his Son to be the propitiation for our

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sins." This is the Gospel message; and after eighteen centuries it is still not understood. To forgive men is to rescue them from their wrong-doing. And the way to rescue them is not to wait until the penalty of wrong-doing has made them anxious to be rescued; it is to see every act of goodness, every germ of goodness, every aspiration toward goodness, and to give it full, ungrudging recognition and appreciation. The way to forgive sins is to overcome evil with good; and the way to overcome evil with good is to give every graft of goodness, however evil the tree on which we think it is growing, the warm sunlight of our cordial appreciation and ungrudging fellowship.

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The Intimations of Love

Once more the tide comes singing up from the great sea which lies beyond the horizon, runs rippling into every cove and estuary and harbor, and sounds the note of summer at the doors of the world. The earliest tracery of the season is so delicate that it shows substance and color only when one sees it in mass and at a little distance. At the first glance the change from the rigidity and bareness of winter seems an illusion, so intangible is it; a softening of outlines rather than a transformation of structure. The distinctness which brought out the interlacing branches against the sky with the definiteness of an etching has given place to a softness of tone, a tenderness of color, which are delicate intimations rather than evidences of the coming of spring. Some morning, not many weeks hence, there will be a sudden riot of color and perfume, for summer will storm the world in an ecstasy of creative energy; to-day only a subtle change in sky and cloud, a softness diffused through the woods like a glow of poetry on the hard facts of life, make one aware that the door of the sepulcher has opened again and the tomb is empty.

Far more intimately to the imagination than to the eye comes the spring, with its memories of freedom and joy and beauty returning with victorious feet after banishment, dear to men since time began. Older than history has been the watching and waiting for the song of the dove and the nightingale, for the breath of flowers exhaling from the barren earth. In the earliest times the hearts of lovers beat more passionately with the climbing of the sun toward the zenith, the songs of praise rose with fresh exultation when violets bloomed at the steps of the temples, and the blood of youth ran riot when the first warmth awoke the sleeping woods. There was something more than physical joy in the festivals with which the return of the wandering sun was celebrated in the elder world; the rapture of the body was matched by the ecstasy of the spirit breaking away from the bonds of habit and casting off the fetters of routine. For a few short hours work was laid aside, laws annulled, burdens discarded, duties postponed; soul and body surrendered to the impulse of the moment, and a kind of intoxication of the senses took possession of the world. It was a brief madness not free from excess and folly; but at the heart of the sudden dash for freedom there was a sound instinct which modern life has recognized and made room for in a vast organization of sport and play.

Half the joy of spring is in the senses and half in the spirit; but the joy of the spirit is deeper and fuller of mystery; for it is to the spirit that the symbolism of the season is made clear. The perfect curve delights the eye, but it brings a deeper delight to imagination; and the heart of the rose brings more to the soul than to the hand that cherishes it. The air of the morning, when bird notes are rising from every covert and the delicate breathings of the happy earth are almost audible, is full of intimations of a divine world outside the field of vision; everywhere hints and suggestions of the unseen assail the imagination, and the skeptic stands convicted not only of coldness of heart, but of dullness of eye and brain in the presence of a mystery of life which transforms apparently inert matter into ravishing flowers by virtue of a magic which no man can explain but which makes every man's path bloom about his feet. The life within leaps up to the cry of the life without as the heart of

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man responds to the heart of its fellow after long separation. Instincts that sank deep into the nature in those prehistoric years when our ancestors lived in woods or in the vast silences of the desert reassert themselves; race memories of forgotten associations with nature rise out of the abyss of being; all the forces of life in passion and emotion and inheritance and undeveloped energy flow together and make us aware that our life, like the life of Nature, is fathomless and inexhaustible.

We are as much and as truly parts of what we call Nature as the trees and the flowers, and the tide of vitality ebbs and flows in us as it ebbs and flows in the world about us. When it ebbs, we seem the accidents or incidents of a vast scheme of things; when it is at the flood, we are masters and creators and our hand is on all materials and the strength of immortality is ours. It is the return of spring in the spirit of the race that announces another blossoming of art, another fruitage of poetry, another epoch of faith in the highest and holiest; for then the narrow boundaries of the visible world fade into the splendor of the invisible, and all things that perish become tokens and symbols of the imperishable. Then every man becomes a believer, a poet, and a lover; and the barren land bears its harvest of hope and peace and joy, the bread that feeds the spirit.

Of this tide of life which keeps the world abloom, love is the divinest form; for in love and in love alone life fulfills and reveals itself. It comes as life comes in the spring, one knows not how nor whence; sometimes slowly diffusing itself over the surface of things and transforming rigidity and hardness into soft beauty and an infinite tenderness of color; sometimes like a great tide, rushing far inland and sweeping everything before it. But whether it steal through the senses or storm through them with the impetuosity of passion, its supreme joy is always for the spirit; and that joy rises out of the sense of immortality which enfolds the lover. The earth becomes fairyland to him; life takes on a nobility which searches him like a shaft of light and makes him aware of all imperfection; and there rises before him a vision of consecration which is the discernment of the immutable and unchangeable in the shiftings and vanishings of time and tide. In the heart of love there is always a sense of immortality; and caresses, tender words, the hourly service through which a great devotion penetrates every part of life and makes it sweet and glad, are the few and inadequate forms in which an immortal passion strives vainly to express itself. When such a passion comes, every hour is full of intimations of the fathomless life which rises into consciousness in the soul of man; every touch of beauty is a hint of a loveliness not to be discerned by the eye, but revealed to the imagination; every experience is a door through which the spirit passes on into the fuller possession of a happiness that fills the air of the world with a sweetness whose roots are below the reach of time and change.

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The Spectator

The Spectator has been in the Pennsylvania town of Bethlehem for Passion Week. How vivid and real the Gospels have become under the influence of this devout Moravian people, whose thought has been concentrated on the love and sacrifice of that central Figure who in one short week felt the full power of man's adoration, hatred, scorn, envy, injustice, disloyalty, fear, cruelty—a lifetime lived in one week! Can there be any clearer evidence of the spiritual power of Christ than is shown in this hill town to-day when all the community, whether of the faith that founded the town or not, live for this week, at least, under the influence of the Gospel story as the day unfolds it?

❀

The great white church stands on a hill. Three and four times each day the crowds from every point of the compass wend their way toward it. There is a solemn hush everywhere, a reverence in the moving throngs that foretell a tragedy. As the end of the week approaches this deepens to sorrow—every face overshadowed, voices hushed and low. Thursday evening business stops. Long be-

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fore the bell in the tower calls, the people have congregated at the church doors. The church people justify the title of "United Brethren," for a kindly smile, if not a word, is offered wherever the stranger gives the opportunity. In solemn silence the people enter the church. It is that upper chamber in Jerusalem, and the hour of separation has come—strange, mysterious, an hour filled with love and fear. There is not a sound in the church. Slowly, noiselessly, the large doors on either side of the chancel open. Through the doors reverently, but with radiant expression, come about seventy young boys and girls, who occupy their places in the first pews across the church, to take part in their first communion. The girls are in snowy white dresses, with their heads uncovered. The beautiful music from the organ loft breaks the silence. With prayer, praise, comprehension at last of what the hour means, every one extends the right hand of fellowship to his neighbors, singing softly,

"My peace I leave with you.
Amen, amen, be it so."

❀

Every fifth seat is empty and corded off. Down each aisle come two ministers bearing the consecrated bread. The cords are dropped one at a time, and a minister enters the empty pew. Those in front of him rise, face him, and receive the wafer one at a time. The minister turns, and those he faces receive the wafer. When all occupants of the pews are served, they seat themselves, joining in the singing—solemn, prayerful, beautiful. When the ministers return to the chancel, all rise and stand with bowed heads. Clearly, reverently, the voice is heard, as though it echoed through the ages, "Take, eat; this is my body which is given you." All kneel, and the command of Christ is obeyed, giving to each a new sense of kinship, not only with men, but with righteousness. After the blessing of the wine the scene is repeated, each holding his glass until the whole congregation join together in the memorial act. Before the last hymn the right hand is given to each neighbor again. The Spectator passed out into the night and darkness one of a family, not a stranger as he had entered the house of God.

❀

It is Good Friday afternoon. The church is crowded. Sorrow with faith is written on every face. All are assembled at Calvary. There are witnessed the mob, the persecutors, the weak ruler, the Saviour, for the Gospel stories are woven in one and read with such power as makes the past the present. At three o'clock the vast throng is kneeling. High above its head in the tower the silver-toned bell tolls. Not a sound comes from the outside world. "It is finished." A clear, beautiful soprano voice is heard:

"Only one prayer to-day,
One earnest, tearful plea,
A litany from out the heart,—
Have mercy, Lord, on me."

It is Good Friday night, and the story of death is ended. With music and the Gospel story we have been in the garden, walked with the sorrowing procession, and seen the stone rolled against the sepulcher. Again into the night of to-day we come, and in silence find our homes, made conscious by the power of music that over death there is great victory.

❀

Saturday morning the streets were early astir. Only the provision stores sent their wagons hurrying through them. It was a day in which the business of the body's care must be soon finished. It was the "Great Sabbath." The waiting friends were coming together in the afternoon for the Love Feast. At two o'clock the people on the streets had their faces turned again to the church. The first hymn gave the keynote of the occasion:

"Peace be to this congregation,
Peace to every soul therein;
Peace which flows from Christ's salvation,
Peace, the seal of canceled sin;
Peace that speaks its heavenly Giver,
Peace to earthly minds unknown;
Peace divine that lasts forever,
Here erect its glorious throne."

Without interruption to the service of music and prayer, large trays laden with buns were passed, followed by trays bearing mugs of coffee. There was the sound

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of cooing of babies, the low sweet voices of children, and over all the organ speaking messages of fellowship and love. The people broke bread together, a family. Again at night the people came together for the Easter vigils. It is a time of mediation and of memory.

❀

The darkness of midnight has passed. Away in the east the sky is growing gray. There is the consciousness that from windows over the hills and down in the valleys, as well as in the town, there are hundreds waiting, many on their knees, for this moment of all the year that is coming. Every face, every mind, is turned toward the church on the hill, waiting for the summons. Far down in the east the gray grows lighter, and one becomes conscious that the air is laden by sound that submerges it in a benediction. The trombone choir has sent its Easter message from the belfry of the old church, meeting the echoes of two hundred years sent over these hills and valleys, telling the world "The Christ is risen."

❀

Through the street men and women, under the influence of the hour, are moving toward the church. Silently the throng are seated, each carrying the leaflet with the order of service and the hymns. The apse has been dressed to represent the rocky tomb in the garden, crowned by an evergreen tree and massed from base to summit with white flowers. It is beautiful as well as symbolic. The words "The Lord is risen," in tones triumphant, break the hush of the throng reaching far out into the street. "The Lord is risen indeed," respond the people.

❀

The organ causes the building itself to quiver as it leads the congregation in

"Hail, all hail, victorious Lord and Saviour,
Thou hast burst the bonds of death;
. . . . . .
Joyful we with one accord
Hail thee as our risen Lord."

The sorrow, the doubts, the suffering of Passion Week are over. There has come to the people confirmation of the announcement, "He was dead, and behold He is alive forevermore." This is the thought of the whole service.

❀

The light of the rising sun just touches the tops of the trees as the people follow the clergy and choirs out of the church over the winding paths into the graveyard. In the center are the two choirs and the clergy. When silence reigns over the people, the music of the trombones tells the story of the week, breaking out at last into the triumph of the resurrection. In the hymn that follows all of the people join. It is a moment never to be forgotten, the trees above just bursting into life, the song of the birds an accompaniment to the whole service, and the people lined in rows about the low graves lighted by the first rays of the sun rising slowly over the mountain, the valleys to the west and south still lost in the gray gloom of a yet unbroken night. Was it only the sunlight we saw as we sang, "What are these in bright array, this innumerable throng?"

❀

"The grace of our Lord Jesus Christ, and the love of God, and the communion of the Holy Ghost, be with us all," every word reaching the vast throng, dismissed the thousands who assembled in the church later in the morning to hear the Hallelujah Chorus by a choir who were singing in joyful triumph because the Christ they loved had triumphed over death and the grave; had made death but the gateway to eternal freedom from the bondage of the flesh.

❀

The Spectator went back to his hotel. Looking at the belfry in which hangs the bell that tolls only at three o'clock on Good Friday, he appreciated for the first time what a dominant thought meant to a community. That belfry with what it represents prevails in the life of Bethlehem.

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A RUSSIAN HAMLET[1]

THE FOURTH OF A SERIES OF ARTICLES FROM THE OUTLOOK'S SPECIAL CORRESPONDENT IN RUSSIA

"QUICK! look here, Ivan! I think there is a devil here!" A peasant boy bends over my shoulder, grinning delightedly at my fountain pen. On my narrow iron bed are two more husky boys of twelve and fourteen, also grinning; and a huge white St. Bernard pup, with his tongue out. Maximoff (my interpreter, photographer, and teacher) lies back in an old straw chair, interviewing the boys, having just distributed cigarettes. Close around us rise four rough-hewn walls of logs, and in one corner is the edge of a big brick stove built into the walls to warm three rooms at once. From the next room comes a merry babel of children's voices. For this is the one spare room of a little log school-house, twenty-five miles from a railroad, in Central Russia. We came the night before last to spend two days, and are wondering now if we can crowd it all into a week. When we are not out visiting peasants' huts, a constant stream of visitors pours in here. Even the St. Bernard pup brought in his mother and two mongrel cur playmates early this morning.

A week ago, in Petersburg, we began interviewing all kinds of authorities on peasants, typical villages, riot districts, primitive home industries, famine spots, army mobilizations, and a score of other subjects. On most of these Maximoff was fairly well up already, having gone from one end of Russia to the other to make investigations for a Russian ethnological society. At last we chose some ten spots all over Russia, in which to see the different kinds of peasants. And this is the first spot.

"Oh, you brutes, you lovely brutes—you devils!" So shouted our big driver through his thick grizzly beard; he leaned far out of the sleigh; his long whip whirled over the near horse and cracked over the two horses in front. They plunged forward in the slush, bells jangled, the sleigh lurched; and, shouting good-by to postboys, railroads, telegraphs, and the twentieth century, we galloped into a deep forest and began looking for peasants.

"How about the driver? Won't he do?" Maximoff nodded and climbed up on the high front seat—not an easy thing for Maximoff. Meanwhile I leaned back and began breathing. It had been a wretched fifteen-hour ride from Petersburg, on the "fast" train, which went fifteen miles an hour. But here nothing was wretched; the horses were going on a dead run, one trotting under a great arched wooden yoke, the other two galloping ahead; the sleigh was low, deep, broad, and soft with furs; the bells were cheery, the air was pure, the smell of the pines was a bracing change from smoke of cigarettes. "This is going to be hard work," said Maximoff, looking down. "He thinks we are government spies. He is laughing at us. This laugh sounds small and low and quiet—but it is really the largest thing in our way. We must begin to climb over it at once. This climbing is also tiring to the nerves. Please—a cigarette—no—two cigarettes."

"Leave the war alone and try him on wolves."

"He says there are hundreds of big wolves and millions of little ones." I looked sternly at the big driver's face. Not a trace of a smile.

"What does he mean by that?"

"You will find out ten minutes after beginning to sleep in a peasant's hut. But look—here are some peasants." Four of them, with rough, flat sledges loaded with fagots and pulled by shaggy little ponies. Men and women—one to each sledge—two walking, the others lying back on the sledges; they wore brown sheepskin coats, enormous gray felt boots, fur caps on the men, red

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handkerchiefs on the women; broad, stolid faces, curious stares, deep twinkling eyes. "The little laugh again," remarked Maximoff.

For twenty miles we galloped silently on, now under the dark old pines, now through clearings of scrubby birch, now out for a mile on a snow field, but always up and down with the deep endless roll of the prairie. Often on the snow fields this prairie roll blotted out all other landscape and left only snow, deep, spotless snow from horizon to horizon. Everywhere dead silence. Even in the three-foot drifts we plunged noiselessly through. Only now and then came the sledges, the trudging ponies, the stolid peasant faces, twinkling eyes. Often when we had passed I looked back; they never turned to watch us, but went straight on, slowly. Nine times we dashed through hamlets.

A lonely cluster of twenty huts in the middle of a snow field. Huts of logs, with straw-thatched roofs, straw packed into the walls, snow piled on for more protection; we galloped down the one wide street; the bells brought a few faces to the little windows; in one hamlet two little boys and a girl even ran out and tried to hitch on; I urged them on, for they were the only break in the silence.

Once out on the field I jumped up to shake off this strange dead silence, and tumbled out behind for a hard half-mile run. At this the tall driver turned and laughed (the Russians always laugh at needless exercise). He lashed his horses to a run—faster, faster; I had to seize the edge of the sleigh, and was in the air for nine minutes out of the next ten; then I climbed in again, the horses settled down to their steady gallop, the big driver again sat motionless; silence everywhere; we leaned back and gradually stopped talking.

The night came on suddenly in the woods, but out on the field the sun still hung big and red on the edge of the snow. The snow took on wonderful shades of rose and pink. It struck the driver's old brown face and turned it a dull red. He seemed to notice nothing.

An hour later we were watching ten little peasant girls at supper. It was in the kitchen next this room. They were boarders at seventy kopecks (thirty-six cents) a month, for in their hamlets, two, four, and five miles distant, there were no schools.

At first they did not see us. They were very little—only eight or ten years old; gay little handkerchiefs on heads, or bare heads with meager old ribbons in hair; all heads bobbing up and down over deep earthen porringers of soup, tiny hands clutching thick wooden spoons or black, heavy pieces of rye bread. The reddish glow from the deep brick oven showed smiles, white teeth, laughing eyes. Low giggles, and now and then a burst of laughter. The silence was beginning to break.

Suddenly they all turned and stared while the little school-teacher introduced an American. Then the giggles began again, and one youngster made a remark which brought down the house. "She says," remarked Maximoff with a grin, "that you are quite as good as the big picture in one corner of the school-room."

"What picture?"

"American crocodile."

As we sat at supper in the other room we could hear the wee boarders at high jinks in the kitchen, in the hall, everywhere. Every few minutes they trooped to the door with a chorus of "Good-nights" or "Thank yous." It all seemed more like a jolly little home than a school. Later we went in to say good-night. A pillow fight had just ended. They sat up, a demurely blanketed row in a big, long bed. Over each pillow on a nail in the log hung a limp little bag of clothes; at the foot of the bed stood twenty huge felt boots. The teacher set the candle on the table. Slowly it grew lighter. Eyes twinkled over blankets. Then the oldest girl, aged eleven, begged us to sit down. More silent twinkling, with an occasional laugh and dive back into pillows. "Does he come from North or South America?" asked a black-headed imp in the middle, and then fell over backwards; the others listened eagerly while I addressed them solemnly through Maximoff. "What fun it is!" cried some one. "He says many words fast, and yet we can't hear him say anything—we can't know anything he says!" I distributed small cakes of

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chocolate with a gay paper doll tied to each. It took a long time to say good-night.

Later, in the teacher's small, homelike study, the old copper samovar steamed away cheerily, the charcoal embers dully glowed beneath, and we sat drinking tea until midnight. There were two teachers. One was large, motherly, kind—the sister of the neighboring nobleman who had built the school-house; she spent all her time teaching and mothering here. The other was a delicate little Jewish girl, with dark face, very feverish now from overwork (she had eaten nothing at supper), but with a winsome, cheery smile, and big eyes that slowly shook off their weariness, and brightened and then sparkled as she told us the story of her four years' struggle to break the dead silence. From the glimpse I had had of her home in Petersburg I could guess how heavy a load this silence must sometimes be. She spoke in Russian:

"Children want something else besides reading, writing, and arithmetic. It seems to me they want songs, games, fun, habits of kindness to all, brightness—always brightness—don't you think so?

"When I came, I found them dull and often cross and gloomy little people. Why? By nature? Just listen to them now. No, their natures were all right; it was only this dead, dull life beginning to spoil them. How? Well, in the first place, they had no lunch.

"Let me explain. You see, the Government, with all its heavy taxes, cannot spare money to establish one school in all these six villages. By crowding we took in a hundred here—one hundred from eight to twelve years old—less than half of all the children who ought to be in school. These were taken from all six villages; many had to walk three or four miles—most of them spent between one and a half and three hours each day walking to school and back. They had breakfast at six and supper at six. They had not a bite between. Of course they were cross and stupid.

"So I tried to give them all lunch. I found we could give them each a pot of coarse soup and a piece of black bread for one kopeck [half a cent] a day. This did not seem extravagant. I tried to persuade the mothers. Little by little, as they came one by one to see the new school, I talked with these women. At first they laughed. Why? Luncheon seems a reasonable thing.

"But the peasants have only two meals a day. They have lived so for centuries. And this two-meal system is only one part of a big, rigid system of poverty. At once I heard indignant protests. The pope [village priest] came and told me how foolish I was to try to teach peasant children to eat as nobles eat, how discontented and disloyal they would become, and how I would be to blame for all this trouble. Then the teachers in the nearest Government schools came all the way over here to warn me and tell me that it was my place to give the children ideas and ideals instead of soup. The peasant mothers kept on laughing.

"They laughed still harder when they learned that I wanted to give each child a separate earthenware bowl for the soup. They had always had one big bowl for the whole family, into which each had dipped his big spoon. Separate dishes were even more foolish than luncheons.

"For a time I tried to teach them as they were—hungry. It grew steadily harder. It was hard to leave them at noon, eat a good luncheon myself, and then come back to the school-room and find a hundred little faces sleepy, dull, and cross from starving. The worst of it was to think that these were only one hundred among millions of children—all slowly growing used to this system. At last I refused to teach them unless the mothers would give the one kopeck a day. The mothers did some slow, hard thinking. You may have already heard that peasant fathers are eager to educate their children. To a large extent this is true, but they are not half so eager as the mothers. The mothers now saw the chance slipping away. At last they gave in. The children began to eat luncheon.

"There were still many protests. One withered, wrinkled old mother of thirty-eight made a last stand for the common bowl system. She came to school the second day, and stood staring in the doorway.

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"'Well?'

"'Yesterday I gave you twenty kopecks for soup. My boy had soup yesterday. That leaves nineteen kopecks. I want nineteen kopecks back.'

"'But why?'

"'Why? Don't you think we need other things beside foolishness? I need oil, and there is not a kopeck in the hut. We still owe the *fist* [village usurer] for the money he loaned us to give the tax man. I tell you we must have back those nineteen kopecks; you don't know what they mean, because you were never a peasant. Anyway, I have talked with my man last night. We think it is a foolish thing for the boy to eat from a bowl of his own. When he ate with us last night, he said, 'Oh, to-day I had my own bowl;' soon he will be too proud to eat out of the bowl of his parents. Give me back the nineteen kopecks.'

"Then I made her sit down and think of the next village, where the most foul of all diseases has spread fearfully (as in so many places in Russia). Over one-third of all the people there now had this disease. I tried to make her see that this disease is not spread by devils and evil eyes, but by infection in just such places as the common soup-bowl. At this she began to tremble, for she dreaded this disease for her boy. 'Well,' she said at last, with a doubtful shake of her head, 'I will try it. Perhaps this is true. We can get along without oil. My man may beat me at first. But, anyway, keep the nineteen kopecks.' And she walked slowly out on the snow.

"Soon the mothers stopped laughing. They were greatly pleased because their children learned so fast and told all they learned at night in the huts. These mothers began to learn from the children so as to teach their other children who could not come here because we had no room.

"I began to see how bright these children really are. And not only bright. They taught me many other things. One afternoon, when they were making too much noise, I cried out, 'Silence!' very crossly, because I was tired. At once I felt my mistake, and I begged their pardons for shouting so crossly and rudely. Complete silence had fallen. You could not hear a pen drop. We looked at each other. I could not help smiling—their faces were so solemn.

"'I think I frightened you.'

"'Oh, no,' said one wee boy, 'you have not.'

"'No,' said a girl in the corner. 'No. But it is so fine to have some one beg our pardons.'

"They taught me how to teach them. Slowly I left the strict line laid down by the Government. Yes, we are under the Government direction, though the school was built by the kind, liberal nobleman near by. You see, if we were not, our pupils could not get the Government diploma when they graduate at twelve. And this diploma gives many privileges. For instance, in the Act on Flogging it says that no one can ever be flogged who has had a school education. There are many other privileges and rights besides this. So we were under the Government and were given their prescribed system. This is very rigid—the same for all kinds of children in all parts of Russia. Most schools follow it to the letter. The priest here follows such a system in giving these children their religious teaching; he makes them learn six prayers, and these they must repeat morning and evening. He teaches words, ceremonies, customs—from a book. So do most school-teachers. Only this morning I drove over to the nearest Government school and came away quite out of sorts. That is why I was so tired at supper. The teacher there told the children that thunder was electricity. She read this fine information from the prescribed book at the prescribed time, and then passed on to the next prescribed paragraph. All these paragraphs they must cram and cram into their heads until they can give them back by heart—and then forget.

"I try more to vary from the book so as to fit the teaching to each different child. Why not? Are all children alike—shall they be treated like so many gray stones of exactly the same weight and size? No, you must watch each one, in school and out, and talk with him and get to know him—and then you can help him learn quickly.

"And there are so many things for

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them to learn besides what is in the books. The lives of these children are only chains of misfortunes. There are so many deep forces working from a distance, and even in the village itself—working for evil.

"One of these is vodka. The Government has the monopoly on vodka. I believe the reports show that they average thirty-six rubles profit a year from each family. All this vodka is drunk mostly on five out of the one hundred holidays in the year. On each of these five days the average family here buys twenty bottles [quarts] of vodka [which is not quite as strong as Scotch whisky]. But this occasional drunkenness is not so bad. The bad part is the habitual drinking. We have still many regular drunkards in this parish. There used to be twice as many.

"One of these had a son only eight years old. This little fellow had for two years seen his father reel into the hut almost every night and beat his mother. The mother was good and kind and quiet, but the drink had made the man so irritable and suspicious that he beat her almost daily, calling her all kinds of vile names. The boy used to look on from up on top of the broad brick stove [where they sleep at night]. He had done this ever since he could remember, so he told me in school. He seemed to be all made of nerves; he had sudden fits of crying without any cause at all, in the middle of school lessons.

"Then he began to change. I? No—I did very little. It was the school. You see, before he came here he had always been alone with his parents. The other children in his village had laughed at him always, and pointed at his father lying so often in the street mud. When he came here he found the children kind and jolly, and he soon began to learn how to make friends. In a month he was always close to two or three little chums. Of course I came to know him too, and I liked him so much that he told his mother and father a good deal about me. One morning the father came to the door—sober, though still a little unsteady. He was a good-hearted man—only the drink was bad. I liked him at once. We had a long talk—though, of course, I said nothing about vodka. Later on he changed, and in the last year he has stopped four other fathers whom I told him were drinking too steadily.

"Yes, there is a deep, deep power hidden in these peasants. Slowly it is rising; I am sure, so sure, they are moving slowly upward.

"There are many clogs besides vodka. No, I would rather not talk to you about the present crisis. You can never tell who is listening to you in Russia. The other day four girl school-teachers from the zemstvo schools in the next district drove over fifteen miles to consult us about some new methods of teaching. They stayed to lunch and left at four o'clock. At six the police agent came hurrying to this village, asked the shop-keeper [shop ten by twelve feet] if he knew of any conspiracy of teachers; the shop-keeper said no, and then the police agent came here.

"'Why did they come here?' he asked.

"We told him.

"'It makes no difference,' he cried, angrily. 'This was a meeting, and meetings without permission are forbidden.' So now he is watching us closer than ever. They always pay most attention to school-teachers. We often petition for the right to meet each other and consult about school methods, but always we are told that there is no need of this, because all methods are prescribed in the regular school programme.

"The war? I can say nothing; except—yes, I can say this. The war has made me very anxious and miserable. You see the zemstvo [district assembly] has always given us 60 rubles [$30.75] a year. My salary? 23 rubles, 33 kopecks ($12) a month. And now they must pay all their school money to the war, so they have given us nothing."

About this time the church bell began striking midnight. I looked out down the long prairie slope. Here and there a few clumps of fir; along the horizon a dreary pine forest; near by some twenty low huts huddled together—low and comfortless. Again the feeling of dead, desolate silence. And with this feeling the bell was quite in tune.

Maximoff and I sat talking long after

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this, and then slept until ten the next morning.

I was wakened by children singing. A few minutes later I was in the bright, sunny school-room, sitting on the log window-sill with three grinning boys, while a crowd of little girls and a few boys stood around the old cracked piano singing with might and main. The song was "Down the Mother Volga," centuries old, beautiful, sad, dreamy. The voices were very sweet. The faces all looked happy. This was a holiday; all had been to confessional—because they must; and were now here—because they wished. Every few minutes more came trooping in. In a corner the boys started two games of checkers, and got along somehow without once quarreling. The girls started various games, one of which looked like Hide the Handkerchief. The air was crowded with laughs of all sizes. Suddenly there was a shout at the door, and two boys appeared with the priest's old fiddle. The teacher had told them that I played. It was a sadly battered old creature, this fiddle. The E string collapsed at once, the A string's peg broke, and a moment later the C string also gave up. But Maximoff knows something about everything, and he made a sort of storm rigging of one string and a half. On this I did many wonderful things, which were vastly admired, and then, to cap the climax, I played "Down the Mother Volga," "just by looking at the book." Everybody sang. And after this I grew swiftly in stature, and Maximoff begged me to let him tell them he was my friend. One of the boys had just succeeded in tripping Maximoff in a friendly wrestling contest—so that his fame was very small. He sullenly slunk away, to reappear in triumph with his big camera. At once I was forsaken. All games were stopped and a picture was taken. By noon the mothers and older sisters began arriving. More songs and games. It was glorious.

As I watched all the faces—joyous, kindly, laughing—I recalled the anxious words of the little teacher.

"He is watching us closer than ever. They always pay most attention to schoolteachers."

Why?

At Fourscore

By F. E. Snow

Call her not old, although the flight of years
  Has measured off the allotted term of life!
Call her not old, since neither doubts nor fears
  Have quenched her hope throughout the long, long strife.

They are not old, though days of youth are fled,
  Who quaff the brimming cup of peace and joy!
They are not old who from life's hidden springs
  Find draughts which still refresh but never cloy!

For what are years, though flying ne'er so fast?
  A year's a day if full of gladsome zest!
But who shall measure time, when hopes are past?
  A day's a year if sorrow is the guest.

The secret of perpetual youth is hers
  Who finds delight in deeds of kindness wrought;
No age can dim the luster of her crown
  Whose days with loving ministry are fraught.

Peace to her, then! a calm, unruffled peace!
  Until her pilgrimage at last is o'er!
Until the Father's summons calls her home
  To greet the dear companions gone before!

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THE STORY OF PORT ARTHUR[1]

By George Kennan

Special Correspondent of The Outlook in the Far East

VII.—A Night Attack

THERE can be little doubt, I think, that in the assault of Sunday, October 30, General Nogi and his officers fully expected to take Port Arthur by storm, or at least to capture enough of the permanent forts to make the surrender of the city inevitable. Among the circumstances which go to support this conclusion is the fact that on the eve of the battle the articles of capitulation, which had been drawn up before the assault of August 19–24, were carefully reconsidered and revised by General Nogi and his staff of legal advisers, evidently with a view to an immediately impending contingency. Professor Ariga, who was at the head of this staff, says in an article recently published in the "Gaiko Jiho," "The draft of the capitulation of Port Arthur was not drawn up hurriedly, but was already in existence before the first general attack in August. It was subsequently amended, according to the development of the situation, and was fully drafted from October 26. In particular, on the 28th and 29th we held a most exhaustive inquiry into the question, under the direction of the chief of our staff (General Ijichi), the council lasting until after midnight."

The fact that the Third Army was accompanied to Port Arthur by a staff of experts in military and international law is a noteworthy evidence of Japanese prevision and prearrangement in the matter of making peace as well as in the art of making war; but I refer to it now only for the purpose of showing that General Nogi expected to take Port Arthur on the 30th of October, and that the officers of his staff spent most of the preceding night in considering the terms of capitulation. Why was this expectation not realized, and what were the reasons for the repulse of all but one of the attacking columns?

From the information given us at headquarters on the day after the battle, it was perfectly clear that the failure of the assault was mainly due to ignorance of the strength of the Russian positions, and particularly to lack of data with regard to what may be called the subterranean defenses of the permanent forts. General Nogi and his officers were aware, of course, that the parapets of these forts were protected by moats, and that the moats would have to be crossed under fire; but they did not know the width or depth of them, nor had they, apparently, any definite information with regard to the caponieres and the bomb-proof casemates which lay hidden, deep under ground, in or behind the walls of the counterscarps. None of these defenses had been materially injured by the bombardment, and there was little more possibility of taking them by storm in October than there had been in August. A mere handful of Russians, posted with machine guns in the subterranean chambers at the bottom of the moat, could absolutely annihilate any storming party that should attempt to cross. As a matter of fact, none of the Japanese columns did attempt to cross, for the simple but fatal reason that all their scaling ladders were too short. The party which attacked Ehrlungshan could not reach the bottom of the moat with a bamboo measuring-pole forty-five feet in length, and they had no ladders longer than thirty-five feet. The column that assaulted Sungshushan was provided with ladders which had been strengthened by means of trusses, and which

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they intended to use as bridges; but not one of them was long enough to extend from the counterscarp to the top of the parapet. The moat was too wide. When the men who reached the edges of the counterscarp walls discovered that the moats were too deep and too wide for their ladders, they had either to remain where they were or retreat. The few who had brought sand-bags made a hasty shelter, behind which they burrowed into the ground, while the remnant of the survivors fled to their trenches. At the end of the day none of the permanent forts had been taken, but, on the edges of the moats in front of Sungshushan, Ehrlungshan, and the North Keekwan Fort, three small detachments of heroic men were clinging desperately to ragged intrenchments of earth and sand-bags, made hastily under a hail of shrapnel and heavy shells. Colonel Watanabe, of General Nakamura's Independent Brigade, told me afterward that, through the storm of bullets which swept the bare slope of Sungshushan, some of the private soldiers of his regiment went back and forth between the trenches and the edge of the moat three times in succession, carrying sand-bags to strengthen the shelter that their comrades were making on the crest of the counterscarp. Of course most of these men perished, but some of them got through and the position was held. I asked the Colonel whether he did not regard the assaulting force as very, very small, and whether he seriously thought that he could take such a fort as Sungshushan with a single company. He replied that the attacking column was, perhaps, numerically weak, but, in the first place, there was no room in the advanced trenches for a large body of men to stand, and, in the second place, it was thought inexpedient to expose a whole regiment to rifle and shrapnel fire on the bare slope up which the storming party had to charge. The increased loss of life would have been out of proportion to the advantage gained. He was still of the opinion that his two hundred and thirty men might have taken the fort if their scaling ladders had been long enough to bridge the moat. In view of what I had personally seen, on the day of the assault, I doubted this very much; but he, presumably, knew the temper and capacity of his soldiers better than I did, and I made no reply.

The column which assaulted the East Keekwan Fort was even less successful than the others, inasmuch as it failed to take the outwork at the base of the hill, and was forced, after suffering heavy loss, to retire to its trenches. The only one of the six storming parties which met with complete success was the one that charged the hill intrenchment known as the P Fort. It succeeded in taking that position and in holding it until half-past ten o'clock at night, when it was driven out by a fierce Russian counter-attack. Major-General Ichinohe, of the Ninth Division, then went personally into the trenches, and at the head of a fresh column of troops stormed the fort a second time in the blinding and bewildering glare of searchlights, star rockets, and parachute torches. Before midnight the hill was again in the possession of the Japanese, and they held it thereafter until the end of the siege. It was not a particularly important capture, but it was pretty much all that they had to show for the day's work. The assault, as a whole, had failed, and the failure was mainly due to lack of information with regard to the moats and subterranean defenses of the permanent forts. Having obtained this information, and having discovered that it was practically impossible to take such positions by storm, the Japanese proceeded to undermine the casemates and caponieres, to blow up the counterscarp walls with powder and guncotton, and to fill the moats with the débris of the shattered structures. When this work began, the siege entered upon its second phase. In the first period of operations the aim was to reach the forts by means of trenches and parallels; in the second period the besiegers sought to destroy the forts by bombarding them from above, and at the same time attacking them from below by means of tunnels and mines.

On the day after the general assault Mr. Curtis went to the front on foot with Mr. Frederic Villiers, war artist of the "Illustrated London News," while I

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remained ignominiously in bed, suffering from illness. Long exposure to cold wind on the summit of 229-Meter Hill while my underclothing was still damp from climbing had brought on a slight attack of remittent fever, and I thought it expedient to stay at home, take quinine, and keep warm. About five o'clock in the afternoon, however, the cannonade became so heavy, and there was such a continuous crackle of rifle fire at the front, that I could remain indoors no longer—fever or no fever—and after getting Toku to tie a couple of sheepskins over my breast and back, I set out for the Sand-bag Battery Hill. When I reached the summit, I found that the Japanese were again attacking the North Fort of Keekwan. All the howitzers and naval guns were in action, and the Russian ridge from the P Fort to the sea was spouting smoke, dust, and stones from a dozen intermittent craters made by huge bursting shells. The shadows of late afternoon lay heavily on the slope of the hill where the action was taking place, and it was impossible to determine whether the assault was succeeding or not; but I had been so disheartened by what seemed to me the weak and futile attack of the previous day that I had little hope. As the sun dropped behind the western hills the bombardment slackened, the rifle fire died away to a popcorn-like sputter, and, finding that I could see nothing distinctly in the increasing darkness, I returned to the village. At that time an immense cloud of smoke was rising over the Russian hills from a fire that had evidently been started in the old town of Port Arthur by Japanese shells.

When I got back to the house, I felt so tired and ill that I threw off my upper clothing, took ten grains of quinine, and again went to bed, thinking that no cannonade or conflagration should tempt me out-of-doors again that night. When, however, one is watching a siege that is constantly being diversified by attacks, counter-attacks, fires, explosions, and general assaults, one never knows what is going to happen next, nor what he is liable at any moment to do. An hour or two after dark the rifle fire at the front increased again to a steady, rapid crackle, punctuated at intervals by the deep, sullen booming of heavy Russian guns in the direction of the East Keekwan fort. At half-past eight, Aoki, Mr. Curtis's boy, rushed into our room, with an expression of excitement on his face, and declared that another battle was in progress; that the Japanese were making a general night attack, and that Port Arthur was to be taken before three o'clock. He had heard this news, he said, from Japanese soldiers who were quartered in the house next to us. Then Toku came in and announced, laconically, in English, "Big fighting! Much Russian star lights!" My determination not to leave the house again that day weakened with the receipt of this news, and I decided that I must go once more to the Sand-bag Battery Hill. Port Arthur might not fall before three o'clock, but I had found that the soldiers in the house next to us sometimes had earlier information with regard to impending movements than we had; and if the Japanese were making a serious night attack on the forts, I wanted to see it. Mr. Curtis, who was tired out from a twelve-mile march to Takushan and back, declined to do any more walking that day; so Toku and I, equipped with paper lanterns and accompanied by a Japanese soldier, set out for the hill.

When, after a breathless scramble, we reached the summit and looked southward toward the Russian forts, the scene that presented itself was one of extraordinary brilliancy and beauty. Three or four searchlights of very high power were playing over the barren hills on the other side of the valley; star rockets soared heavenward from behind the dark parapets of the forts, leaving behind them long reddish trails of fire and bursting into showers of silvery, incandescent spangles; firework bombs, exploding at a height of four or five hundred feet, liberated flaming torches attached to small parachutes, which floated slowly downward, lighting up the ground beneath them as they descended; and here and there, over the illuminated hillsides, shrapnel cases flew to pieces in mid-air, making brilliant transitory flashes of light, which seemed to come from the bodies of gigantic fireflies. The Japa-

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nese guns were silent; but all along the Russian ridge, from Sungshushan to East Keekwan, we could see the red winking of artillery, and from the slopes lower down came the continuous crackle of rifles, blended now and then with the rapid but intermittent drumming of machine guns.

In repelling night attacks the Russians used three distinct but complementary and co-operative means of artificial illumination, viz., searchlights, star rockets, and parachute torches; and when they were all in use simultaneously, they lighted up the field of action so completely and effectively that it was absolutely impossible for any considerable body of men to make a movement without its being detected. The searchlights, which had probably been taken from the battleships in the harbor, were the most powerful and penetrating that I had ever seen. During the greater part of the time, their combined beams lay in a broad bar of bluish radiance across the heads of the advanced Japanese trenches; but now and then one of them would explore, slowly and carefully, the territory lying further back; and when the long moving finger of light touched our hill and then suddenly stopped, as if the eye behind it had that moment discovered us and was regarding us with suspicious attention, I felt like crawling down out of sight under the wall of the battery. The light illuminated the ground so that it seemed almost possible to count the blades of grass, and it appeared to be so near that, in spite of my knowledge of the real distance, I half expected every moment to hear the quick "zip" of a sharpshooter's bullet or the tearing crescendo of an approaching shell fired at us from behind that motionless but menacing beam. In reality there was no danger whatever; partly because the Russians would not be likely to waste a shell upon two or three men on a distant hill-top, and partly because the chances were ten to one that they could not hit us even if they should try; but, in spite of one's knowledge of these facts, the influence of that piercing, intelligent ray, when, in its slow sweep of exploration, it stopped suddenly and glared for fully a minute in one's face, was rather disquieting to the nerves. Three or four nights later Mr. Curtis, who had gone up on this hill alone, became so "rattled" when the beam of the East Keekwan light was turned upon him, that he put out his lantern and fled down the hillside in the darkness, losing his way, and nearly breaking his legs in tumbling over a precipitous ledge of rock.

As a means of illuminating a field of battle at night, the searchlight had one serious defect, and that was its tendency to cast black shadows into ravines and depressions of the ground. Its ray threw a brilliant light upon the slopes and prominences that it actually and directly touched, but it left all trenches, gulches, and hollows in impenetrable darkness. In order to illuminate such places, the Russians made use of star rockets and aerial torches, which shed light directly downward into natural or artificial depressions of the ground which the horizontal rays of the searchlights could not reach. The star rockets consisted of a tube of quarter-inch iron, eighteen inches long and three inches and a half in diameter, with an explosive head at the upper end and a long and rather heavy stick at the lower. Around the stick, at the base of the tube, were eight or ten half-inch holes, through which, I presume, the propulsive powder forced its way as the rocket ascended. When it reached its height, the burning composition inside the tube set fire to the head. The latter then exploded, setting free sixty or eighty brilliantly white stars or spangles, which fell slowly, in a silvery shower, lighting up an area of at least a square mile underneath, very much as it would be lighted up, on a less extensive scale, by the burning magnesium used in flashlight photography. The stars kept bright for a period of from five to eight seconds, and the illumination of the ground underneath seemed to me to be quite as great as that caused by the rays of a full moon.

In combination with these rockets the Russians used what I have called "aerial torches." I never had an opportunity to examine them, and I do not know how they were made; but from their appearance and behavior I concluded that they

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were a combination of a bomb, a parachute, and a large wad of flax or hemp saturated with some liquid which burned with a bright flame. When the bomb was exploded in mid-air by means of a time fuse, it liberated a mass of flaming material attached by wires to a small parachute. This parachute descended very slowly, and the torch hanging from it burned for at least a minute—sometimes a minute and a half. It made a light which was greatly inferior to that of the star rocket in brilliancy, but it had the compensating advantage of lasting longer and carrying the illumination closer to the ground. If the time fuse were cut short, the flaming wad would burn until it actually reached the ground; and when there were three or four of these torches in the air at once, they made quite light enough to reveal the movements of troops in the trenches or ravines over which they were thrown.

It can readily be imagined that when searchlights, star rockets, and parachute torches were all in simultaneous operation; when bursting shrapnel cases were making firefly-like flashes in mid-air; when the illuminated slopes of the Russian hills were blazing with the red fire of artillery; and when the significance of the illumination was emphasized by the booming of cannon, the pom! pom! pom! of quick-firers, and the steady rattle of perhaps a thousand rifles, the spectacle was one of thrilling and absorbing interest.

A night attack upon intrenched positions always seemed to me more trying to the nerves and courage than the most desperate and hopeless charge in the daytime. When the sun shines, the chances, so far as they depend upon illumination, are equal; but when you attempt to storm a strong fort at night, you are forced not only to attack an enemy who is protected by walls, moats, and wire entanglements, but to fight in an artificial glare which completely blinds you, while at the same time it conceals the positions against which you are advancing. Every one who has faced a powerful searchlight knows how difficult it is to see anything whatever in the direction from which the brilliant ray is coming. At Port Arthur the Russians frequently had half a dozen of these lights in operation at once, and when a storming party charged up the slope of a bare, exposed hill under a hail of rifle bullets and shrapnel, it could see little or nothing except blinding suns shining out of abysses of impenetrable blackness. I often wondered that the Japanese ventured to make night attacks at all under such conditions, but they frequently did and often succeeded. Kuropatkin Fort was taken just before daybreak, and General Ichinohe stormed the P Fort a second time at eleven o'clock in the evening, only half an hour after his troops had been driven out by an overwhelming counter-attack. It requires nerve, steadiness, and indomitable courage to charge an almost impregnable fort at night, when all the advantages of numbers, position, and illumination are on the side of the enemy.

At Port Arthur, moreover, a night attack was a supreme test of courage for another and very different reason. During all the time that I spent in front of the fortress, wounded men who were completely disabled, and who fell unnoticed between the lines during an engagement, were left to die there without help or succor. Each side asserted that the other would not permit Red Cross stretcher-bearers to pick up the wounded after a fight, and the result was that disabled men who were unable to crawl back to their own forts or trenches after a battle died slowly of thirst, hunger, or surgical fever, in plain sight of their comrades on both sides. When I went into the advanced Japanese trenches on the 7th of November, I saw, on the slopes of the Russian hills, hundreds of bodies lying just where they had fallen in the assault of October 30, and among them, undoubtedly, were many wounded who might have been saved if they could have been brought off the field. When the Japanese were forced to retire after an action, they always carried their wounded back with them if it was possible to do so; but in the haste and excitement of an enforced retreat under fire it was not easy to distinguish the wounded from the dead, and at night, particularly, many were overlooked and left behind. A man thus abandoned had

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nothing to hope for, and generally died a death of lingering agony. "It was pitiful," said a Russian prisoner to me, "to hear the wounded Yapontsi call and cry out in front of our lines—especially at night, when it was still—because, after all, they were people (*liudé*); but what could we do? They wouldn't let us go out after them."

I shall consider in a subsequent article the responsibility for this shocking disregard of Red Cross principles and Red Cross obligations by the armies of two Governments that had signed the Geneva Convention. My object now is merely to show that, under such conditions, a night attack is a supreme test of courage. It is one thing to charge a fort, knowing that if you are wounded you will be picked up and brought back to a dressing station or a field hospital where you will have every possible comfort and care. It is another and a very different thing to make that same charge knowing that if you are disabled by a bullet or a shell you will probably die slowly, from hunger, thirst, and pain, on the spot where you fall, and that you can expect no help or mercy from God or man. One might face bravely the chance of being killed outright, and still shrink from the possibility of dying a slow death of agony, alone, uncared for, on a barren Manchurian hillside, with searchlights playing in one's face and shells whistling or moaning overhead. And yet thousands of Japanese soldiers in front of Port Arthur faced that possibility not only once but many times, and faced it just as resolutely at the last as at first. If the Czar and the Grand Dukes of the "war party" could only be forced themselves to take such ghastly chances, they might perhaps put a stop to a contest in which they have shown neither ability nor humanity; but, in the inscrutable providence of God, the rulers who cause great national calamities are not required to bear the burden of them. It is only the common soldier who must suffer and die; and he alone seems capable of feeling pity for the abandoned and dying wounded who "call and cry out in the stillness of the night."

By eleven o'clock it became apparent that the action which we had witnessed was nothing more than a renewed assault on the North Keekwan Fort. Whether it was a serious attempt to take that fort, or only a demonstration intended to reinforce the men who were clinging desperately to the crest of the counterscarp and thus strengthen their position, I could not determine; but the cannon and rifle fire gradually died away; the star rockets and parachute torches appeared less and less frequently, and before midnight all was quiet. The bombardment of the Russian forts had apparently ceased, for the first time since our arrival in Dalny. The searchlights were still sweeping back and forth over the Japanese trenches, and here and there, in the valley behind us, we could see the faint glow of a soldier's paper lantern, or the spark of a Chinaman's lamp; but everywhere else the world was dark, and the only sound that broke the strange and unusual stillness was the far-away barking of a sleepless dog. Cramped and cold, we got up from the sand-bags upon which we had been sitting and returned to the village.

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Is the Negro Disfranchised?

By Wilford H. Smith

Mr. Smith is, we believe, the only negro lawyer who has won a case in the United States Supreme Court. In 1900, and again in 1904, he obtained favorable rulings in two cases which involved the exclusion of negroes from service on juries. The Supreme Court held that no conviction of a negro by a State court in which his race was excluded from service on the jury on account of race and color would be allowed to stand. Mr. Smith is a graduate from the Law Department of Boston University.—THE EDITORS.

AS an American negro I feel compelled to take issue with the Hon. John B. Knox, of Alabama, in his article in The Outlook of January 21 on the "Reduction of Southern Representation," and challenge his statement that the recent Constitution of Alabama does not disfranchise the negro as such, but only prescribes an educational and property qualification test for both races; and his further statement that in case a negro is discriminated against by the registrars, an appeal to the courts of Alabama will not be in vain.

On the contrary, the fact is that the suffrage provisions of the new Constitution of Alabama are an open disavowal and nullification of the Fifteenth Amendment to the Federal Constitution, and an exclusion of the negro from the electorate on account of his race and previous condition; also the law providing for an appeal to the courts of the State of Alabama, where a negro is refused registration, is only a snare, and affords him no relief whatever.

In considering this question the following undeniable facts should be borne in mind:

1. The Twelfth Census of the United States shows the population of the State of Alabama to be 1,001,152 whites and 827,545 colored; and in twenty counties the negroes largely outnumber the whites.

2. That since 1875 or thereabouts, up to the adoption of the new Constitution, the negro vote in the State of Alabama has been suppressed by intimidation and false returns; so that during that entire time the complete control of the State government has been in the hands of white men and the Democratic party.

3. That not a single negro delegate held a seat in the Convention which enacted this Constitution; it was composed exclusively of white men.

4. That the Constitutional Convention was called upon a party platform in which there was a pledge that no white man, however poor or ignorant, should be deprived of the franchise.

Upon the authority of Judge Cooley's work on Constitutional Limitations, and the case of Ah Kow vs. Nunan, 5th Sawyer, 560, it is proper to refer to statements in debate on the passage of a law, for the purpose of ascertaining the general object of the legislation proposed, and the mischief sought to be remedied. If, then, we wish to know the purpose of the law, we have but to read the words of Mr. Knox himself, in his opening address as President of the Constitutional Convention:

"If the negroes of the South should move in such numbers to the State of Massachusetts, or any other Northern State, as would enable them to elect the officers, levy the taxes, and control the government and policy of that State, I doubt not they would be met in the spirit that the negro laborers from the South were met in the State of Illinois, with bayonets led by a Republican Governor, and firmly but emphatically informed that no quarter would be shown them in that territory.

"And what is it that we do want to do? *Why, it is, within the limits imposed by the Federal Constitution, to establish white supremacy in this State.*"

And so throughout the debate on these provisions the same or similar language was indulged in. Some of the delegates proposed openly to defy the Fifteenth Amendment by frankly writing it in the law that no negro should be eligible to vote in Alabama. The pre-

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vailing opinion seemed to be that the enfranchisement of the negro in the beginning was an insult and an outrage upon the Southern white people to humiliate and degrade them, and it now became their duty in self-defense to disfranchise him as far as they could under the Amendments to the Federal Constitution.

Upon the authority of the Supreme Court of the United States, one cannot do indirectly unlawfully what one cannot do directly lawfully.

How could Mr. Knox keep his pledge not to disfranchise a single white man, made to his party, and at the same time keep his oath to support the Constitution of the United States? Which, think you, had the greater binding force upon him? There being only white and black men in Alabama, and the Convention being pledged not to disfranchise the whites, who else were there to be disfranchised but the blacks? No matter how the thing was done, whether by a soldier clause or a grandfather clause, a temporary plan or a permanent plan, its purpose was unlawful and repugnant to the Fifteenth Amendment.

The well-settled rule of construction is that the form of a law by which an individual is deprived of constitutionality is immaterial. The test of the law's constitutionality is whether it operates to deprive any person of a right guaranteed by the Constitution. If it does, it is a nullity, whatever may be its form.

Only one of many similar illustrations can be given of the administration of this law.

In the post-office at Montgomery there are about eight or ten colored clerks and carriers, all of them qualified under the United States Civil Service, who own their homes, each valued at upwards of a thousand dollars. Not one of these men, however, has been able to satisfy the Board of Registrars in Montgomery County of his good character, his ability to read or write, or that he was assessed with three hundred dollars' worth of property. The Constitution thus administered has brought about the following results:

In the county of Montgomery, where there are more than five thousand qualified negro electors, only forty-seven were allowed to register. And in the whole State of Alabama, with about two hundred thousand qualified negro electors, only about two thousand five hundred were allowed to register; while all the white men in the State who applied—183,234—were given certificates of qualification for life.

Mr. Knox is also in error when he says that the negroes of Alabama disqualify themselves by failing to pay their capitation tax, which is a prerequisite for voting.

The payment of the poll tax without also being registered does not give the right to vote in Alabama; and the payment of this tax is not a prerequisite for registration. The truth is, the Boards of Registrars refuse to register qualified negroes, no matter what their qualifications, or what property they own, or what taxes they have paid, except in such cases as seem to suit their whims. The qualified negro thus refused is wholly remediless.

The Alabama Constitution provides that any person to whom registration is denied shall have the right of appeal to the Circuit Court. At the trial the Solicitor for the State shall appear and defend against the petitioner on behalf of the State. The judge shall charge the jury only as to what constitutes the qualifications to entitle the applicant to become an elector at the time he applied for registration, and the jury shall determine the weight and effect of the evidence and return a verdict. From the judgment rendered an appeal lies to the Supreme Court in favor of the petitioner.

This law, we submit, is an absolute farce. It provides for an appeal from a partisan board to a partisan jury, composed exclusively of white men, with the State Solicitor, a partisan officer, appearing for the State against the elector. The hands of the trial judge are tied, so that he can only charge the jury as to what constitutes qualifications. The jury are thus made the sole judges of the case, and their decision is final, because nothing but an issue of fact can arise at the trial. Every lawyer knows that an appellate court cannot disturb the verdict of a jury on any disputed issue of

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fact, and hence an appeal to the Supreme Court would avail nothing.

The case of the State vs. Crenshaw, 138 Alabama, 506, from Limestone County, referred to by Mr. Knox, in no way supports his contention, and really decides nothing. It has been ascertained that this case was specially made up to induce negroes to abandon the Federal courts and seek redress against the Constitution through the State courts. As arranged, the jury in the Circuit Court reversed the registrars, but on appeal to the Supreme Court the appeal was dismissed, the Court holding that the Constitution gave the right of appeal only to the person refused registration and not to the registrars.

The deception becomes obvious when we consider how utterly impossible it would be for the courts of Alabama, as at present constituted, to carry on their regular business and at the same time hear and determine the cases of two hundred thousand qualified negroes refused registration.

The Second Hague Conference

By Theodore S. Woolsey

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WHEN a State calls an International Conference, it is usual to offer to the delegates assembled a somewhat detailed programme for consideration, to explain and expand the general object indicated in the invitation. The general object embodied in Mr. Hay's circular note of October 21, 1904, implied a "tentative," not a "categorical," programme. This note recites the resolution of the Interparliamentary Union last autumn at St. Louis, that a second Conference be called, as the President's warrant for action. It recalls certain topics referred by the 1899 Conference to a future one. It also invites suggestions from other Powers as to the character of the questions to be brought forward. That President Roosevelt has a pretty definite idea of what the second Hague Conference should aim to do is altogether likely. Without knowledge of what this may be, let us try to outline certain subjects proper for this kind of international legislation, with this idea in mind, that the first Conference really saw the birth of a Code of International Law. To enlarge this body of rules is easier than it was to originate it. Official discussion, followed by agreement and ratification, is the proper method of code growth. Nothing can so make for the peace of nations as certainty in the law of nations. If these premises are granted, the conclusion is irresistible that such a Conference as this has tremendous potential value in advancing the welfare of political society. But to accomplish the greatest good such deliberations must be steered clear of probable pitfalls.

Let us ask first, therefore, what the programme of the United States, for one reason or another, should avoid.

I. The terms of the important Geneva Convention for the neutralization of all agencies for the care of sick and wounded soldiers are vague, unsatisfactory, and much need revision. But, unless by some special agreement with Switzerland, this is not the time nor the agency for the accomplishment of this task.

The reason is this. The first Conference had discussed the need of revision, and had approved it by resolution. This was amended to read, "under the auspices of the Swiss Federal Council." By pure misapprehension the delegates of the United States opposed this amendment. To correct this blunder a second resolution was unanimously passed, "that all of the States represented at the Hague would be happy to see the Federal Council of Switzerland take the initiative, after a brief delay, in calling a Conference with the view to a revision of the Geneva Convention." Under the circumstances, should the United States move in the matter, it would seem an act of positive discourtesy to Switzerland, and might imperil the success of the Conference.

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II. A topic for whose sake the first Conference was called, and which was prominently in the minds of the delegates, was a limitation of the armament of the represented Powers. The gathering was often popularly called the Disarmament Conference. But every kind of limitation of armament, let alone proportionate disarmament, proved to be utterly out of the question. The only result of the discussion was the passage of two resolutions. One of these reads, "that the limitation of the military charges which at present so oppress the world is greatly to be desired, for the increase of the material and moral welfare of mankind." The other expresses the wish that the various Governments "should study the possibility of an agreement concerning the limitation of armed forces on land and sea, and of war budgets."

Does the proposed second Conference promise better in this direction?

Without going at length into the causes of this failure, it can be said that the reasons—economically speaking—for a limitation of armament are more powerful to-day than ever, but that the objections are equally strong. The experience of every new war brings about changes in the military art and its material. In the adoption of these no two States are on an even footing. England must put the lessons of the Boer War into rifles, artillery, and general reorganization. Russia must re-create a fleet. Japan will be quick to alter whatever her observant officers by land or sea have found ineffective. Other nations must follow at the shortest possible interval. These are all cogent reasons why there should be limitation of armament; they are equally cogent to prove that there cannot be limitation of armament. The futility of the former attempt went far to discredit the Conference. The United States has so small an army that proportionate limitation on any basis conceivable can hardly be said to be a practical question here. For this reason, in regard to this proposal, the delegates of the United States in 1899 declined to take an active part. To be in the least effective, the lead in this movement must be taken by a State which would be seriously affected by it—by Russia, Germany, or France. From every point of view, then, we conclude that it will be wise not to jeopardize the success of the Conference by any reference whatever to that most desirable but most chimerical of propositions, a limitation of armament.

III. Should the second Conference work over the Arbitration Treaty?

Here there is room for a fair difference of opinion. The first Conference did not secure compulsory reference of international differences; it devised machinery to aid such reference, however, and did much to create a presumption in favor of the arbitral method. Why not now take a next step, either defining those classes of differences whose reference shall be compulsory, or at least providing in some way a specified interval of delay between acute difficulty and violent redress, a time for the cooling of popular passion, which is really the great desideratum.

The answer is twofold: (1) We have already in the Commission of Inquiry and in the Mediation principle exactly this element of delay, if only States will use them. They are probably good for nothing else. Upon this the North Sea Inquiry in the matter of the trawlers fired on by Rojesvensky's fleet throws a flood of light. (2) The other consideration is this: that no general arbitration agreement with compulsory reference of all or of a number of questions is in the least degree feasible. Thus the real progress in arbitration is to be sought in special treaties of limited scope between individual States, which is the suggestion of the Interparliamentary Union. This conclusion will hardly be doubted by any one familiar with the history of the first Conference, with the natural unwillingness of certain great European Powers to surrender their prerogative of war, or with the invincible determination of our own Senate to preserve arbitral reference in its own hands. With what grace could Mr. Roosevelt ask the Conference to frame a treaty on lines which the United State Senate, first of all, would decline to approve and ratify?

IV. Balloon Warfare.

The Declaration which forbids the

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"launching of projectiles and explosives from balloons or by other similar new methods" for a term of five years was adopted on the somewhat cynical ground that there was no likelihood within that period of an advance in aeronautics which the prohibition could interfere with. The question was not argued on the proper ground of its inclusion in legitimate war methods consistent with humanity. As the term of the Declaration has expired, the new Conference may extend the old prohibition, make new regulations, or pass the subject over.

It is hard to see why, once accuracy has been attained, balloon warfare is inconsistent with the modern theory of lawful weapons. That theory permits the putting out of action of the largest number possible, but forbids unnecessary aggravation of their suffering. Offensive balloon warfare would of course be met by balloons on the defensive, and the terrors of aerial combat can be pictured. Yet, given accuracy of movement and of aim, so that the same degree of discrimination in attack can be observed as in bombardment, and why is not balloon warfare as legitimate as any other kind? Is it not exactly in line—if effective at all—with the modern ideal of making war as sharp and as short as possible? And if this is true, why mention the practice in the Conference at all! Is it not one of those "things best left unsaid"?

On the other hand, it may fairly be argued that since balloon warfare has been legislated upon, and since the time-limit of the said legislation has expired, it is better to take the question up and dispose of it somehow rather than to leave it in the air.

V. With the hope of humanizing the methods, or lessening the cost, of warfare, the first Conference took up, discussed, and rejected by a varying majority the following proposals:

To use no more powerful powders than those employed at the time.

To use no new high explosives.

To use no field artillery superior to the best then in use.

To forbid submarine torpedo-boats.

To prohibit the ram on ships of war.

To adopt no new type of musket.

To prohibit the automatic musket.

To employ no new means of destruction; *e.g.*, through the aid of electricity or chemistry.

In regard to all such proposals the delegate of the United States, Captain Crozier, stated his country's attitude thus: "That it did not consider limitations in regard to the use of military inventions to be conducive to the peace of the world." This sound judgment should prevent the inclusion of such prohibitions in the new programme. For a State to urge upon others measures for which it cannot itself stand is self-stultification.

These are questions which, for reasons indicated, it may be well for the call to a second Hague Conference to avoid. Let us now turn to another class of measures which were expressly referred by the first Conference to a second, without limitation as to the sponsor. To include such is a matter of simple good faith.

I. The immunity of belligerents' private property, not contraband, from seizure on the seas in time of war.

This was the Marcy Amendment, offered as a condition to the adhesion of the United States to the Declaration of Paris. It is thus our historical policy.[1] It is equally the consistent policy of Great Britain to oppose such a letting down of belligerent rights of capture. The contention of the United States is by no means fair and just beyond doubt. Why should a maritime power surrender its right to seize or check an enemy's commerce, to cripple his power of resistance? Why throw away what may be the best weapon in its armory? Here will be a stiff contest. Only the preponderance of the neutral interest can carry such a rule. Probably the time for it has not yet come. But discussion of it seems inevitable and may do good.

II. The rights and duties of neutrals.

How important a topic this is, every maritime war shows, notably the one now in progress. In the matters of coaling, of repairs, of asylum from the enemy, of using neutral territory as a base, of illegal construction, armament, and enlistment, of definition of contraband, of the free-

[1] See Act of Congress, approved April 28, 1904.

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dom of mail-bags from seizure, and so on in great variety, there is needed an exact definition of the law, and uniformity of observance. At present France has one standard of lawful hospitality to belligerent ships in port; Great Britain, Germany, and the United States, another. In the list of difficult and doubtful questions just given, it will not be humanly possible to secure agreement upon all. Yet, so far as agreement shall result, if, like the second Convention of 1899 to humanize and define the rules of land warfare, it assume Code form and gain the official sanction of adoption and ratification by the States attending, it can be tacked on, so to speak, to that Convention. A second long step will thus be taken towards a Code of International Law.

We repeat that the "rights and duties of neutrals" was one of the subjects which the first Hague Conference expressly voted to recommend for future discussion.

III. The same is true of that burning question, the bombardment of ports, coasts, and cities by a naval force.

The Naval War Code issued by the United States Government (now, unfortunately, withdrawn), Art. 4, reads as follows: "The bombardment by a naval force of unfortified and undefended towns, villages, or buildings is forbidden except when such bombardment is incidental to the destruction of military or naval establishments, public depots of munitions of war, or vessels of war in port, or unless reasonable requisitions for provisions and supplies essential at the time to such naval vessel or vessels are forcibly withheld, in which case due notice of bombardment shall be given."

If this accords with current usage, a ship may lie to off a hostile port and demand coal or provisions under threat of bombardment. This paragraph is in substantial agreement with the rule on the subject adopted by the Institute of International Law at its 1895 meeting. But it is probable that our Naval War Code was withdrawn because it was in advance of prevalent usage. It is not certain that bombardment of undefended coast towns even to-day would be prohibited in war if employed as a penalty for wrongs elsewhere committed, for non-payment of contributions, for sheltering a Government, even for refusal to settle a national claim in nominal peace.

This is not the place for argument as to these practices, though it is hard to see why the land rules governing bombardments should not be equally reasonable on the sea. But, in any case, coast cities have a right to know what treatment can legally be applied to them, and control their building and defense policies accordingly. If The Hague can legitimately be shelled from a man-of-war off Scheveningen, never in sight of the city, and necessarily unable to fire discriminatingly, because The Hague is the seat of government and has occupied barracks and a cannon foundry, as some believe,[1] that liability should be clearly laid down at the proposed Conference.

IV. In addition to topics thus specially referred, the first Conference adopted three Declarations relating to war, two of which might well be taken up again. The other, forbidding balloon warfare, has been already commented upon.

By these two Declarations was forbidden "the use of projectiles the only object of which is the diffusion of asphyxiating or deleterious gases" and "bullets which expand or flatten easily in the human body." Neither prohibition seems to have approved itself to our delegates, and the United States is not a party to them. However logical the arguments against accession may have been, it is questionable if in matters of such comparatively small moment it would not have been wiser to stand with the great majority for the sake of the general harmony. England was the only other dissident. In fact, her delegates would have joined in making asphyxiating shells illegal had our Captain Mahan assented. Perhaps the experience of war since 1899 will have changed our National attitude, or, if not that, possibly some alteration in the form of the agreements, if now worked over again, would make them acceptable. To the non-professional observer the attitude and the arguments of Crozier and Mahan do not seem convincing.

[1] Holland, Studies in International Law, p. 96 sq.

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V. Although not so ordered by the first Conference, it is natural and proper that those rules to govern land warfare and to adapt the Geneva Convention to naval use, which were passed by it, should now undergo revision. Their adoption was an unexpected and considerable achievement. The former followed, with some additions, the rules worked over but not accepted at Brussels in 1875. The latter renewed the attempt of 1868. It may well be that, in the light of two subsequent wars, some provisions of the second and third Conventions will need to be changed. For example, it is forbidden to make improper use of an enemy's uniform or the Red Cross badge.

Charges of abuse of this rule are common in every war. It would seem that the term "improper use" may need definition; that the use of the Red Cross symbol should be more carefully restricted; that the use of an enemy's clothing for purposes not involving deception should be legislated upon. Payment for requisitioned articles might be better secured, by the device of a commission to redeem the receipts given. Contributions need further definition. Art. X. of the third Convention, interning sick or wounded sailors landed at a neutral port, was unsatisfactory to many Powers, and finally excluded. Thus this situation is not provided for and should be defined.

Finally, let us turn to certain matters proper for inclusion in the programme, which are entirely new, which were not discussed either by the first Conference, at Brussels, or by any similar gathering:

I. One such is the new condition produced by wireless telegraphy.

Shall war correspondents be allowed its use, and if so, under what conditions? If set up on neutral soil, is its sufferance for military use, as at Chefoo by China, an unneutral service?

II. Another topic suggested by the war in the East is the legality of anchoring contact mines in a traveled seaway, many miles from land, dangerous to the innocent neutral and to belligerent alike.

Russia is said to have planted such mines by the hundred, not only in and about the entrance to Port Arthur, but even in the strait of Pechili. International legislation upon this practice is imperative.

III. What may neutral individuals do for the financial aid of a belligerent without making their country liable? Early in the present war certain Jewish Americans proposed to present a sum, the equivalent of a war-ship, to Japan. Clearly this would have been illegal. But could they have offered a fast yacht, to be converted into a destroyer? or given a submarine? or loaned money without interest? or sent Japanese home for service?

Dealing in contraband is legal, but gifts of contraband—must they be prevented? Some general principle, clear and easily applied, should be agreed to for the regulation of this class of cases.

IV. Of all the chapters of the law of nations, the one which is clearest and freest from difficulties relates to the rights and duties of Diplomatic Agents. To formulate these into a code, to present these in a convention, to adopt and ratify them, would be, probably, an easy task. Would it not be worthy of our President, at the Conference which he invites, to hold out in one hand rules relating to a certain portion of the relations of States in time of peace, while with the other he invites an amplification of the rules which govern war, and thus signify that, in his judgment and by this method, a Code of International Law is in the making? In this way, if at all, will it come into being.

A code is the key to an arbitration system, because arbitration is judicial in its nature; it can find facts or interpret laws; it cannot make laws.

A code is a safeguard of peace, because States bound by it can know their duties and ascertain their rights with no uncertain mind.

Roughly and tentatively I have brought together matters worthy of international legislation, which are not barred from consideration by the dictates of courtesy, of caution, or of common sense. If these, or some of these, can be put into treaty shape, President Roosevelt and the United States will have done the world a service.

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The Making of English[1]

AMONG recent works on language, one of the most valuable is that on "The Making of English," by Dr. Henry Bradley. Books of this order are not always warmly received. We are inclined to look on their authors with something of mistrust. We fear to have to do either with tedious pedants, whose very learning makes them incoherent, or else—and this is apt to be the case with small handbooks—with flashy dilettanti, framers of fanciful theories and derivations *à la* Cratylus. A philologist who is neither obscure nor ignorant is not met with every day; and it is a real gain to the public when one who is world-famed as a scholar, and who is known to be as lucid as he is learned, is found willing to write for them. English-speaking people, especially Americans, whose interest in their own language has always been conspicuous, will ask nothing better than to study its history under Dr. Bradley's guidance.

The scope of his book is defined in the preface. It is written "to give educated readers unversed in philology some notion of the causes which have produced the excellencies and defects of modern English as an instrument of expression." With this object in view, he discusses, as fully as his limited space will allow, first the grammar, second the vocabulary, of our language.

Unlike Old English, from which it is sprung, and German, to which it is akin, our speech of to-day has few or no inflectional endings. Of the multitude of forms which appear in the works of King Alfred, for example, it shows few or no traces; the shades of thought which they convey it expresses by other means. The history of the decay of inflection and of the development of this new machinery is the whole history of our grammar.

The pages in which Dr. Bradley discusses this part of the subject are the most instructive in the book, and should be carefully studied. We must be content here to touch on a few points in his masterly exposition.

Apart from phonetic change which leads up to simplification indirectly by producing confusion too great to be borne, the main cause which he assigns for the loss of inflection is the mixture of peoples speaking different languages or different dialects.

The Angles, Jutes, and Saxons who took possession of different parts of Britain in the fifth and sixth centuries A.D., though speaking substantially the same tongue, brought with them their own peculiarities of accidence. These became more and more marked, until by the eighth century the English of Northumbria, for instance, differed widely in respect of its endings from that of Kent or Wessex. As the population increased and larger areas were brought under the rule of one king, the various tribes blended together and lost their original linguistic peculiarities. It is easy to see how this took place. While the vocabulary of one district could be understood by the natives of another, the existence side by side of two inflectional systems, neither of which was admitted to be the model, would lead to the endings being slurred over in pronunciation, and by degrees to their being dropped altogether.

The progress to grammatical simplicity was further aided by the conquests and settlements of the Danes and Northmen, which would seem to have been more widespread and important than the ordinary reader has ever dreamed. Their language, except for its forms, was very like Old English, and in districts in which they were numerous mixed dialects arose, partly Danish, partly English, marked by great ambiguity in the use of the noun-endings. The inscription at Aldborough in Yorkshire, "Ulf let araeran cyrice for hanum and for gunware saula," is all we have to show what Danish-English was like in the eleventh century; but since it was in the Danish districts that our accidence was simplified most rapidly, we have reason to think that the Scandi-

[1] *The Making of English.* By Dr. Henry Bradley. The Macmillan Company, New York.

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navian admixture was one of the causes of the disappearance of the Old English inflections.

The Normans, on the contrary, do not seem to have had any direct influence on the actual speech of the people. It is true that the twelfth-century MSS. show signs of sweeping changes, but the development of the language between 1066 and 1150 cannot have been as rapid as they would lead us to suppose. The real explanation is that, owing to the use of French as the literary and official tongue, and the neglect of the vernacular culture, the traditional spelling was not observed, and the indistinctness which had been perceptible in the pronunciation of endings now showed itself in writing. It is on this wise, not by affecting the spoken language, that the Norman Conquest may be said to have hastened the decay of inflection. That it had this result in the South at any rate, is beyond all doubt.

Space fails us here to discuss in detail the reduction of our accidence, to show how the verb was simplified, how alone of Old English case-endings the genitive in *es* and the nominative and accusative plural in *as* are represented in our modern speech, how there took place "the most remarkable and beneficial change of all," the substitution of natural for grammatical gender. Simplification, as we have seen, is only half the story of our grammar; a few words must be said as to the new machinery which was borrowed or developed to meet the needs of expression.

A perusal of Dr. Bradley's pages will show that the foreign element is not so considerable as we might have been led to expect. The Danes gave us the pronouns *she*, *they*, *them*, *their;* to the Normans we owe the polite use of the second person plural—an innovation of doubtful value—and the use, it may be, of the proposition *of* to express the genitive. Our more useful and characteristic constructions are almost entirely of native origin. Such are the attributive use of the substantive—a development, it would seem, of the compound noun—the extended use of the genitive in *'s*, which almost puts us in mind of an agglutinative language, and the auxiliary systems which give every shade of meaning conveyed by inflections in any tongue.

From grammar, as we have said, our author passes on to speak of vocabulary. If the structure of our language shows but few traces of foreign influence, the same is not true of the actual words we use. Except for those which serve the needs of daily life, there are very few of our nouns, adjectives, and verbs which are derived from English roots. We have borrowed from almost every European language and from innumerable languages of Asia, Africa, America, and Australia. Our main debt, as all are aware, is to Latin, French, and Greek. Next to these we owe most to the speech of the Danes and Northmen. Were any proof required of Scandinavian sway in England, we should find it in the numerous Danish words—some of them relating to politics—which have found their way into the language.

We should have naturally expected that the early inhabitants, the Celtic Britons, would have been among the chief contributors to the vocabulary of English. This, however, is far from being the case. The Celtic words in the language before the Conquest are less than a dozen, and of these several—such as *bratt*, a cloak, and *luh* (loch) an opening of the sea, are Goidelic rather than Brythonic in form, and seem to have been learnt from the Irish missionaries. This is certainly puzzling, since, if we are to judge by the physique of the natives of many districts, it is unlikely that the entire British population was massacred or driven westward. It is possible that the Romanization of the east of England, which began under Julius Agricola, may account in some slight degree for the absence of Brythonic words from English. We know from Tacitus (Agricola 21) that the sons of the British chiefs learnt Latin, and showed no little proficiency in it; we know, too, that the English invaders, if they did not learn Celtic, acquired a certain number of Latin words from the Romanized people of the towns of York, London, etc.

The language has strengthened its resources, not only by borrowing foreign words, but by making new ones. The

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principles of composition, derivation, and root creation are discussed at length by our author. The history of the compound is instructive, but the fancy of the reader is more likely to be caught by the examples of onomatopœia, *gibber*, *giggle*, *ping-pong*, *whip-poor-will*, etc., or of back-formation and shortening, such as to *butch*, to *butle*, from butcher and butler, and *cab* from cabriolet. There is much, too, to interest the curious in the changes in the meaning of words—*sad*, *dull*, *write*, *read*, *giddy*, etc.—and the chapter, with which the book ends, of the contributions of individual writers.

The works which have had the greatest share in the making of modern English are without doubt the plays of Shakespeare and the various translations of the Bible. Our language owes most of its picturesqueness to the wealth of Biblical sayings which have become part and parcel of it. Many of them, *e.g.*, to "hope against hope," "a howling wilderness," "the eleventh hour," "a labor of love," are not infrequently used without any very clear idea of their origin. The extent of Shakespeare's influence can hardly be overrated. His phraseology is so closely interwoven not only with our written but with our colloquial speech that we are forever "talking Shakespeare" without being aware of it. "The livelong day," "every inch a king," "in my mind's eye," "last, not least," might have been mentioned as instances in point.

It would be an endless task to enumerate all the other authors who have enriched our language, either by introducing new words or new applications of words, or by giving vogue to expressions already in use. One thing is worthy of note, and that is that the effect of a writer on the language bears no constant relation to his literary rank. Chaucer, the father of English poetry, has given us one single expression, "After the schole of Stratford atte Bowe," and though Milton has supplied us with much material for allusion, only some half-dozen of his phrases (*e.g.*, "The light fantastic toe," "A dim religious light") have been absorbed into our every-day speech. It becomes clear on inquiry that a large proportion of our current sayings are drawn from the works of writers who have been long forgotten. There is every reason to believe that the English of the nineteenth century and of our own day will be found to be less powerfully affected by the writings of the great men of the period than by the literature which voices the feeling of the hour—the drama and the newspaper.

It remains to consider the excellencies and defects of English style as it has been made. Its strong points are, without doubt, its force and its variety. Owing to the loss of its inflections, or their reduction to mere consonantal suffixes, our language gains in brevity, and as a result in strength and impressiveness. Owing to its numerous borrowed words and its power of laying the sentence accent on the auxiliary (as in "I dó think so," "If he shoúld do it"), it has a richness and a subtlety which it would be hard to equal in any other tongue.

It is perhaps not unnatural that its main defects should be ambiguity and vagueness. As we have so few grammatical endings, we are often left in doubt whether a particular word is a noun or a verb, whether it is the subject or the object, the indicative or the infinitive.

Again, the wealth of seeming synonyms which convey the same idea with a difference is a perpetual snare to the ignorant and careless, leading them into inaccuracy and diffuseness.

On the whole, Dr. Bradley is inclined to look hopefully on the English of the future. To quote his closing words:

"Unless the English-speaking peoples have entered on a course of intellectual decline, there is no reason to fear that their language will suffer deterioration. In the daily increasing multitude of new forms of expression, even though it may be largely due to the unwholesome appetite for novelty, there must be not a little that will be found to answer to real needs and will survive and be developed, while what is valueless will perish, as it deserves. It is therefore perhaps not an unfounded hope that the future history of the language will be a history of progress, and that our posterity will speak a better English—better in its greater fitness for the uses for which language exists—than the English of to-day."

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The Coming of Parliament[1]

THE two immediately preceding English volumes in the "Story of the Nations Series"—that is, Mr. Edward Jenks's "Parliamentary England" and Miss Bateson's "Mediæval England"—brought the series up to a high level of excellence and usefulness. With Mr. Jane's "The Coming of Parliament" its level drops to the mediocre; so much so that it is not easy to see what purpose Mr. Jane had in mind in writing his book, unless it were to add another volume to the "Story of the Nations Series." The title Mr. Jane has chosen is promising, and raises pleasurable expectations. It suggests a work on the origin and development of Parliament—a work, if it be of popular character, for which there is an obvious need. Mr. Jane puts forward his monograph "as an attempt to trace the steps by which Parliament attained to a permanently important share in the government of England;" and he adds that he has included "an outline of the general history of the period, that the reader's memory may be refreshed as to the principal events"—that is, of the three centuries from the Black Death to the Restoration of 1660. Unfortunately, "The Coming of Parliament" is lost in Mr. Jane's general history of these three centuries; and all there is about its later development could be got into a short magazine article. There is not a single paragraph describing the origin of Parliament. There is nowhere anything more than an allusive reference to the franchises on which the House of Commons was elected. There is scarcely more than a passing reference to its organization for business; and even when remarking on the increase in the number of representatives during the Tudor dynasty, Mr. Jane has not taken the trouble to be accurate. "At the same time," he writes of Queen Elizabeth's attitude towards Parliament (p. 266), "the strong Court party was formed by the creation of rotten boroughs—a practice which had begun under Edward VI. and Mary, and which was so freely used by Elizabeth that during her reign over sixty places received enfranchisement, and returned nominees of the Crown." Had Mr. Jane turned to Hatsell or Stubbs, he would have learned that only thirty-one boroughs were enfranchised between 1558 and 1603, and that these boroughs returned sixty-two members to the last of the Elizabethan Parliaments. Considering that Mr. Jane's book is primarily intended for general readers, his bald way of referring to rotten boroughs and pocket boroughs without adding a single word of explanation is needlessly tantalizing; and similar irritation is provoked by his method of dismissing the Act of 1430, by which the franchise in the counties was restricted to holders of freehold land of the value of forty shillings a year. Here at least was an opportunity of stating what the franchise was in the counties prior to the Act of 1430, which was passed to make the county franchise less popular; and also an opportunity of indicating the franchises on which members from the cities and boroughs were at this time chosen. Taking the volume as a whole, and keeping in mind the title it bears, it must be said that Mr. Jane adds little or nothing to the history of Parliament which cannot be found in any of the accepted works on the English Constitution. Nor has his outline of English history from the Black Death to the Restoration anything in particular to commend it. There is a good chapter on the Reformation, in which much stress is laid on the well-known fact that the Reformation was in its beginning political rather than doctrinal or religious. But here, again, there is nothing that is distinctly new; nothing that has not already been told in many English histories. The value of Mr. Jane's estimates of sovereigns and statesmen of his period may be judged from his remark that James I. "was better fitted, on the surface, to perform the part of a clown at a village panto-

[1] *The Coming of Parliament: England from 1350 to 1660.* By L. Cecil Jane. (Story of the Nations Series.) Illustrated. G. P. Putnam's Sons, New York.

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mime" than to be King of England; or that Laud would have shone as an exemplary master in a small school, or as a member of a parish council. There is nothing, moreover, that is attractive about Mr. Jane's literary style; and it is difficult to see where Mr. Jane is to find readers among people who can reach such histories as Green's or Gardiner's, to say nothing of such works as Stubbs's or Hallam's, which treat more specially of constitutional history.

Books of the Week

This report of current literature is supplemented by fuller reviews of such books as in the judgment of the editors are of special importance to our readers. Any of these books will be sent by the publishers of The Outlook, postpaid, to any address on receipt of the published price, with postage added when the price is marked "net."

Apple of Eden (The). By E. Temple Thurston. Dodd, Mead & Co., New York. 5×8 in. 344 pages. $1.50.

A book of undoubted intellectual force, and one well written in point of style and manner. Its subject is one that requires delicate treatment; in the main mature readers will not find their taste offended, but there are a few passages disagreeably frank. The celibacy of the Roman Catholic priest; the fact that vows do not make a priest free from temptation; the struggle in a high-minded priest's nature between right and passion; the serious meaning of duty and renunciation—all these things are clearly set forth. The author has intimate knowledge of the priesthood and has no intention of disrespect to the cloth. Father Tom, the elder of the two priests described, is a capital character—humorous, shrewd, and practical.

Aprilwetter. By Hans Arnold. Edited by Laurence Fossler. (Modern Language Series.) D. C. Heath & Co., Boston. 4¼×6½ in. 144 pages.

Bahama Islands (The). Edited by George Burbank Shattuck, Ph.D. (The Geographical Society of Baltimore.) Illustrated. The Macmillan Co., New York. 7×11 in. 630 pages. $10, net.

Dr. Shattuck has collected an immense amount of data of scientific value about the Bahamas. This volume is the outcome of an expedition for which Dr. Shattuck served as director. His staff contained about twenty scientists, each a specialist in some direction; and the volume is accordingly largely made up of papers by these specialists on the geology, botany, animal and fish life, and soils of the island, together with a historical sketch and papers on the sanitary and medical conditions. The book is handsomely published and really beautifully illustrated with photographs.

Club of Queer Trades (The). By Gilbert K. Chesterton. Illustrated. Harper & Bros., New York. 5×7½ in. 270 pages.

Mr. Chesterton is undeniably clever. These stories are whimsical and ingenious rather than humorous. The members of this remarkable club are admitted only upon proof that each has invented for himself a genuine way of making his living which did not exist before. A single instance is that of a gentleman who lets himself out for dinners as a butt for the repartee of his employer, the scenes having been carefully written out and rehearsed beforehand. The stories are uneven in merit.

Colomba. By Prosper Mérimée. Préface de M. Augustin Filon. (Les Classiques Français.) G. P. Putnam's Sons, New York. 3¾×4½ in. 215 pages.

A pleasing edition of one of the most readable of French stories.

Courtship of a Careful Man (The). By E. S. Martin. Illustrated. Harper & Bros., New York. $1.25.

A collection of short stories of New York life, having a peculiar quality of their own. Quite modern in effect, they have a background of good breeding distinctly American. The conversations among different members of the families represented are clever, and exhibit a complete and happy knowledge of the world. Both the author's style and his characters may be fitly described as alluring.

Comendador Mendoza (El). By Juan Valera. Edited by Rudolph Schwill, Ph.D. The American Book Co., New York. 5×7¼ in. 257 pages.

Cyclopedic Handbook to the Bible (The). By the late Joseph Angus, M.A., D.D. New Edition. Thoroughly Revised and in Part Rewritten by Samuel G. Green, D.D. Fleming H. Revell Co., New York. 5½×8¼ in. 832 pages. $2.

Originally published in 1853, this has been an eminently useful book. In its present revised form much has been dropped from it, and much added from the gains acquired by a half-century of increasing knowledge, while the original plan, with some rearrangement, remains the same. Its two divisions, treating the Bible first as a book and next as a series of books taken separately, go into manifold details, historical, apologetic, hermeneutic, and others. With some concessions to modern criticism, the general view maintained is strongly conservative. For practical uses the old book seems likely to remain for long a favorite.

Deutsche Bildungszustände. By Dr. Karl Biedermann. Edited by John A. Walz. Henry Holt & Co., New York. 4¼×6¾ in. 205 pages. 70c.

Earthly Problems in Heavenly Light: Bennett Sermons, 1904. By James Reed and Henry Clinton Hay. Massachusetts New-Church Union, Boston. 4¼×7 in. 113 pages.

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Evolution of Knowledge (The): A Review of Philosophy. By Raymond St. James Perrin. The Baker & Taylor Co., New York. 5¼×8¼ in. 308 pages. $1.50, net.

Mr. Perrin rightly regards the goal of philosophy as the ultimate reality and unity behind the diverse phenomena of the universe. The way to it through clear thinking he does not seem to have found. It bewilders one to read that "evolution and motion are synonymous terms;" that "knowledge is a form of force or motion;" that "the ultimate relation, both subjective and objective, is that union of time and space called motion." But what is motion but change of position? A queerer mistake of the phenomenal for the real could not be dreamed of. Mr. Perrin is far from being a mystic, but he seems to share with mystics the possession of thoughts transcending the power of expression, when he tells us that "divinity is always our most advanced theory of knowledge," and that "religion is only another name for the chief coincidence of feeling and thought."

Fair Land Tyrol (The). By W. D. McCrackan. Illustrated. L. C. Page & Co., Boston. 5×8 in. 328 pages. $1.60, net.

Not quite a guide-book nor yet a romance is this fully illustrated descriptive volume. The author has the courage of his enthusiasm for both the Tyrol and the Tyrolese. He noted small changes among people, manners, and scenery, and gives his readers the benefit of his observation, enriching his travel record with many bits of history and biography. After reading these chapters one is inclined to set forth and see for himself.

Greek Painters' Art (The). By Irene Weir. Illustrated. Ginn & Co., Boston. 5½×8½ in. 361 pages.

So little remains of Greek painting that the average student is apt to fail to realize that architecture and sculpture are not all that there was of Greek art. Modern discoveries are, however, continually throwing new light upon the painter's art as practiced in Greece. The remains, except in the interesting field of vase-painting, are lamentably fragmentary; but enough has survived, when studied comprehensively, to show that painting was widely used by the Greeks in connection with architecture, sculpture, and pottery. This book aims to bring together as much information as possible from ancient and modern literature, from the reports of archæologists, and from the study of specimens in museums and elsewhere, in regard to all that relates to color as used by the Greek painters of old. The book is amply illustrated.

Heroes, Hero-Worship, and the Heroic in History. By Thomas Carlyle. Edited by Mrs. Annie Russell Marble, A.M. (Pocket American and English Classics.) The Macmillan Co., New York. 4×5¾ in. 417 pages.

House of the Black Ring (The). By Fred Lewis Pattee. Henry Holt & Co., New York. 5×7½ in. 324 pages. $1.50.

In a homely way this story of a Pennsylvania Dutch community has variety of character and it certainly has only too much of plot. It is not from the literary side an artistic book, but it at least may be described as both readable and amusing. The author deals with local superstitions in an interesting way; but while he dispels the supernatural element which at first seems to hang over the story, his explanation is very far from being probable, and has a quite unnecessary tinge of the melodramatic.

Historic Highways of America. Vol. XVI. Index. By Archer Butler Hulbert. The Arthur H. Clark Co., Cleveland, Ohio. 5×7½ in. 188 pages.

Hume: Treatise and Inquiry. By W. B. Elkin, Ph.D. The Macmillan Co., New York. 5×7¾ in. 330 pages.

As a stepping-stone in philosophy from the old to the new, Hume still furnishes staple material to the student. Dr. Elkin here undertakes to make clear the exact ground held by him in his principal philosophical works, the "Treatise on Human Nature" and the "Inquiry Concerning the Principles of Morals." That Hume's "system" is capable of being variously classified in accord with his various statements is held to be attributable to his "many-sidedness and liberal-mindedness." While he evidently did not care to be classed or labeled, Dr. Elkin holds that, if it must be so, he must be set down as a positivist in epistemology, a skeptic in metaphysics, and an agnostic in religion.

John of Gaunt. By Sydney Armitage-Smith. Illustrated. Charles Scribner's Sons, New York. 5½×9 in. 490 pages. $4.50, net.

Out of the ordinary, both in conception and in execution, is the biographical adventure which Mr. Armitage-Smith here undertakes. So far as we are aware, this is the first detailed study of the personality and career of "Old John of Gaunt, time honored Lancaster," whose name is familiar as a household word, but whose deeds have long ago receded, in great measure, into the forgotten past. To recall them has obviously been a labor of love with Mr. Armitage-Smith, who has faithfully explored all manner of sources of information bearing on the exploits and character of this favorite son of Edward III. and favorite brother of the Black Prince, this titular king of Castile and Leon and uncrowned king of England. The search yields to us a fascinating story of chivalry, pageantry, and war, a story of many personages and many scenes; a story, too, told with feeling and intelligence by one who breathes the spirit of the times. If John of Gaunt has long been without a biographer, it is safe to say that he will hardly require another for many a day to come.

Judith Triumphant. By Thompson Buchanan. Harper & Bros., New York. 5×7½ in. 355 pages. $1.50.

The tragic story of Judith and Holofernes is told again, with some skill and much vigor. "Other times, other manners," gives this author, with others, opportunity to exploit what are known as the elemental passions. Holofernes, in this tale, is almost alarmingly elemental. The dangers Judith encountered

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in the Assyrian camp, whither she went to save her city, are not disguised in the telling.

Kingdom of Infancy (The). By Marie Wardall. The Nunc Licet Press, Philadelphia. 5×7¾ in. 194 pages.

The practical mind, endowed with only the usual imagination of a cultivated reader, will pause in perplexity over some of the ideas advanced in this romance of the spirit. Long ago we assented to the inspired truth that heaven lies about us in our infancy, but all will not be willing to follow the attenuated lines of fancy spun by this author. It is difficult to imagine an abode of spirits where infants develop into such every-day human youths as to marry and be given in marriage, however illusive and ethereal their individualities are.

Langbarrow Hall. By Theodora Wilson Wilson. D. Appleton & Co., New York. 401 pages. 5×7¾ in. $1.50.

A story of a boy and girl in rural England, who grow up in close intimacy ripening into love. The young people are essentially unlike in nature; the girl is healthy, outdoor-loving, and practical, while the boy is delicate in health and one of those who "dream dreams and see visions." There are many family differences and catastrophes to threaten their happiness, but nothing can mar their romance until the final tragedy, brought about through the mad jealousy of a sister. The book has many faults, but the two main characters are finely drawn, and there is something of beauty and pathos in the story that defies the calm judgment that it is not well written.

Later Poems. By John White Chadwick. Houghton, Mifflin & Co., Boston. 5×7½ in. 156 pages. $1.25, net.

With the first shock of the passing away of a poet, all his verse seems for a time to be written in the minor key. To some degree this is doubtless the reflection of our own mood, and after a while the lighter and more cheerful strains of the singer will again attract our ear. Mr. Chadwick in this volume weaves the mingled yarn of life in due proportion, showing his cheerful satisfaction with the lighter things of every-day human existence in such poems as "The Jolly Carpenters" and "A Cooking Lesson," but his muse was essentially a meditative one, and never carried him far from the "deep things of God." Behind the obvious incident with him was always the eternal lesson demanding expression. His poems are not without their singing quality, but this is never merely the lilt of the care-free warbler. The mystery and wonder and tragedy and spiritual meaning of life are ever with him. At times his thought is of startling originality, as in "Counter-Accusation:"

I stood beside the body of one dead
Who had in life been alien to all good;
Had ever with the baser party stood,
Was ever to the meaner practice wed.
But, now, the form from which the soul had fled
Was calm as sleep, and, on the marble face,
Of gross or evil passion not one trace
Remained. Then, softly to myself I said:
Much do we hear about the grievous wrong
Done by the flesh to the indwelling soul;
But here was one—and many there may be
Like him—whose spiritual part was strong
The subject flesh most basely to control.
Now from that long enslavement it is free.

Mr. Chadwick's high and nobly exigent patriotism shines forth in a stirring sonnet here included, "Timeo Danaos," and in his beautiful tribute to Sherman Hoar. His "Easter Hymn" is a characteristic expression of his abiding faith in an Immanent God,

Thine the atom's faintest thrill,
Thine the humblest creature's breath,
Prophet-soul in every kind,
Yearning still through life and death—

His thoughtful love of nature finds charming expression in many fugitive pieces in this volume. But it is his verse that deals with the great common life of humanity, its joys and sorrows and sympathies and aspirations, that called forth his best powers and that strikes our most responsive chord. It is this that will keep alive his memory in that psalm of remembrance of those that are no more, "It singeth low in every heart"—one of the tenderest poems in the language—and that is finely illustrated in this collection by "A Common Weed," and by "Shore Acres," which latter we cannot forbear quoting:

How sweetly it comes back, how tenderly,
That evening's end; no little thing forgot;
The fire made safe; set back the steaming pot;
Windows and door shut tightly as could be;
The tall clock wound; the house all still; and then—
The dear old man his candle takes and goes
To seek his own well-earned, prayer-blest repose,
His heart at peace with all the sons of men.

And when we to the end of toil have won,
And it is time for us to go to bed,
May we as gently move unto our rest,
Leaving no simplest needful thing undone,
No word of healing gentleness unsaid,
Some lamp of God close to our bosoms prest.

Mare au Diable (La). By George Sand. Edited by Adèle Randall-Lawton. The American Book Co., New York. 5×7¼ in. 137 pages.

Mrs. Dane's Defense: A Play in Four Acts. By Henry Arthur Jones. The Macmillan Co., New York. 4½×7 in. 127 pages. 75c.

A problem play of the unpleasantly familiar woman-with-a-past variety; but undeniably clever, and as dramatic seen between covers as it is on the boards.

Misunderstood Hero (A). By Mary Barnes Beal. Illustrated. The Pilgrim Press, Boston. 5×7½ in. 333 pages.

More Excellent Sacrifice (The): Memorial Day Sermons. By Rev. John W. Sayers, D.D. Jennings & Graham, Cincinnati. 4¼×7½ in. 212 pages.

Nature Study: A Pupil's Text-Book. By Frank Overton, A.M., M.D. The American Book Co., New York. 5×7½ in. 142 pages.

Northern France. Handbook for Travellers. By Karl Baedeker. (Fourth Edition.) Charles Scribner's Sons, New York. 4×6¼ in. 423 pages. $2.10, net.

A new edition (the fourth) of this well-known handbook, brought up to date with such revision regarding hotels, routes, and places of interest to travelers as has been made

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necessary by the changes of the last four or five years.

Paris and the Social Revolution. By Alvan Francis Sanborn. Illustrated by Vaughan Trowbridge. Small, Maynard & Co., Boston. 6×9½ in. 404 pages.

Mr. Sanborn will be remembered by our readers as the author of a recent article on Charles Wagner in The Outlook, and as the writer also of many sociological and descriptive articles about Paris which have appeared within the last year or two in many of the best American publications. Some of these articles, together with other matter, are included in the present volume. It is a study of unusual thoroughness into the conditions of Parisian life below the surface. The author begins by describing the present-day Anarchistic philosophy and its developments, and then goes on to tell how its propagation is carried on in Paris by speaking, by conferences, by the Anarchist press, and by acts—the last including insurrectionists' outbreaks and individual crimes. Mr. Sanborn finds the revolutionary spirit widespread, and existing side by side with the ideas of evolutionary Socialists. It is present, and has long been present, for instance, in the Latin Quarter; it is to be heard in the cabarets of Montmartre, and it is to be traced in countless directions, in literature, the drama, the theater, and even in music and art. It is evident that here is abundant food for reflection by social philosophers. It should be added also that the chapters are not, as a rule, theoretical, but deal directly with actual life and observation, and in this way contain much that is picturesque and often even amusing. The book is illustrated by Mr. Vaughan Trowbridge. The form the publishers have given it does not appear to us attractive, and in particular the cover is quite unnecessarily sensational.

Practical Commercial Speller (A). By Elizabeth F. Atwood. Ginn & Co., Boston. 5¼×7½ in. 201 pages. 40c. (Postage, 10c.)

Quakeress (The). By Charles Heber Clark (Max Adeler). Illustrated. The John C. Winston Co., Philadelphia. 5¼×8 in. 392 pages. $1.50, net.

In this contrast between the world's people and Quakers the advantage is with the latter. No sign of caricature tinges the author's work, who evidently understands the underlying principles of the peculiar faith and practice among a community of Pennsylvania Friends. The usual intermingling of joy and sorrow, love and life, appears in the quiet story, simply told.

Quién es Ella? Comedia en Cinco Actos. By Manuel Bretón de los Herreros. Edited by Samuel Garner, Ph.D. The American Book Co., New York. 5×7¼ in. 176 pages.

Rebel's Recollections (A). By George Cary Eggleston. G. P. Putnam's Sons, New York. 5×7 in. 260 pages. $1.50.

A new edition of a book first published in 1874. A prefatory essay on "The Old Régime in the Old Dominion," originally contributed to the "Atlantic Monthly" in 1875, is the only new matter in the present edition; but, in spite of the many that have succeeded it, the book still outranks in interest almost all other reminiscences of the Civil War.

Romance of Victor Hugo and Juliette Drouet. By Henry Wellington Wack. Illustrated. G. P. Putnam's Sons, New York. 5×8¼ in. 152 pages. $1.20, net.

The literary value of this book lies in the charming introduction by François Coppée; the human interest, in the conscientious work of the author, who, however, is sometimes in danger of beating his gold leaf out too thin. His sojourn in Guernsey was productive of a love for "the little green, rugged gem of earth" and the collection of many details regarding the exiled life of Victor Hugo on that island. If we accept the dictum that "the code of morals in every civilized nation . . . is rebelled against by the best and by the worst of mankind," we can regard the course of French genius with equanimity, at least, and place Victor Hugo naturally among the best of mankind. It is quite impossible, however, to concede any literary value to the letters of Madame Drouet reprinted here. They are quite the ordinary reflections of the mind of a hysterical woman deeply in love, and suffer in dignity from being translated into cool English. A large number of extremely interesting pictures add much to the somewhat padded text.

Rose of the World. By Agnes and Egerton Castle. Illustrated. The Frederick A. Stokes Co., New York. 5×7¾ in. 415 pages. $1.50.

The story opens in India, where the reader has a glimpse of official English life. The tragedy of widowhood descends upon a girl wife, who lives to realize the meaning of her sorrow. The tale is well written, with touches of comedy in minor characters.

Russian Peasantry (The): Their Agrarian Condition, Social Life, and Religion. By Stepniak. New Edition. E. P. Dutton & Co., New York. 5×8 in. 651 pages. $1.25, net.

A new edition of a book originally published ten years ago by a Russian who knew the economic and social conditions in Russia at first hand, and who passionately looked forward to the changes now taking place. Owing to the death of Stepniak, the book is issued without revision; but the events of the day give its reappearance peculiar timeliness and interest.

Scandinavia: A Political History of Denmark, Norway, and Sweden from 1513 to 1900. By R. Nisbet Bain. The Macmillan Co., New York. 5×7¾ in. 460 pages. $2.

R. Nisbet Bain, who essays the difficult task of narrating in a single volume of modest proportions the story of the rise, decline, and fall of Denmark, Norway, and Sweden as Powers, is already known as the author of several historical studies of no small value. In the main, these bear directly on the subject matter of his present treatise, so that students acquainted with his earlier work must naturally entertain high expectations of his performance of the duty assigned to him by Mr. Prothero. That these expectations are not fully realized is in large measure not Mr. Bain's fault. While the three Scandinavian

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countries have for the greater part of the period under review (1513–1900) a closely knit and at times common political history, it is also true that each has its individual history. Side by side, in short, with the story of the empty dream of upbuilding a great Scandinavian Empire, runs the story of the warring and jealous components of that projected Empire. The historian is thus confronted, and in an acute form, with the familiar problem of the conflict between the chronological and the topical methods. Mr. Bain effects a compromise whereby he may fairly be said to make the best of a bad bargain, but his presentation, nevertheless, remains somewhat obscure, if it is not at times actually misleading. The Swedish note, if we may so express it, is a trifle too dominant throughout, while as concerns the history of both Denmark and Sweden-Norway since 1814 the treatment is unquestionably inadequate. On the other hand, there is much that calls for praise. Keen insight into causation is manifest; social as well as political movements are studied, not a little light being thrown on hitherto neglected phases of Scandinavian history; and the facts presented have been carefully verified. The style, without being impressive, is fluent and agreeable.

Training of the Twig (The). By Rev. C. L. Drawbridge, M.A. Longmans, Green & Co., New York. 5×7¾ in. 190 pages. $1.25.

The author has British parents and teachers specially in mind, but his work has the cosmopolitan quality of sound pedagogical principles and methods. It shows shrewd observation and good judgment, and its subdivision of the subject matter into numerous short sections tends to practical utility.

Twelve Stories and a Dream. By H. G. Wells. Charles Scribner's Sons, New York. 5×7¾ in. 331 pages. $1.50.

In at least half of these stories Mr. Wells is seen at his best; and that his peculiar gifts and genius make him primarily a teller of tales rather than a writer of long romances has long been our conviction. Invention, whimsicality, startling treatment of the grotesque or horrible, glimpses of a pseudo-science and the possible marvels of the future—all these things Mr. Wells simply riots in. But some of these tales also show humor and true imagination; thus, that about the little boy and the shop where "real magic" is sold might have been written by Mr. Barrie, while that about the predicament of the stout gentleman who takes a potion to reduce his *weight* and finds that his *size* remains the same, and for a time has to live on the ceiling, is immensely ludicrous. Altogether this is the best book of short stories Mr. Wells has put forth since that containing "The Time-Machine."

Van Dyke Book (The). Selected from the Writing of Henry van Dyke. By Edwin Mims, Ph.D. Illustrated. Charles Scribner's Sons, New York. 5×7½ in. 172 pages. 50c., net.

What is History? Five Lectures on the Modern Science of History. By Karl Lamprecht, Ph.D., LL.D. Translated from the German by E. A. Andrews. The Macmillan Co., New York. 5×7¾ in. 227 pages. $1.25, net.

This work of a distinguished German scholar took shape on American soil, in the form of an address at the Congress of Arts and Sciences in St. Louis, and other addresses at the sesquicentennial of Columbia University. The reader is introduced with vigor and enthusiasm to an unfamiliar view of social development in the pragmatic treatment of history as "applied psychology;" that is, as proceeding from social-psychic changes manifesting themselves in economics, politics, philosophy, art, literature, etc. Modern and recent history is especially drawn upon for illustration of the author's view. In surveying the vastly greater field of endeavor and conflict thus disclosed he apprehends the advance of "total psychic decay," if recent psychic changes for the worse go on. "We are moving," he affirms, "toward a psychic state which corresponds in a certain sense to those of a lower stage of civilization."

Yellow War (The). By "O." Illustrated. McClure, Phillips & Co., New York. 5×8 in. 302 pages. $1.20, net.

These sketches of war scenes in the great combat between Russia and Japan are remarkable for their vividness and intensity. The author quite legitimately uses what may be called the imaginative method; that is, he does not describe literally actual events which he himself has seen, but, without any attempt to deceive the reader, he pictures war episodes as they must appear to those engaged in them. It is this imaginative element which gives the dramatic effect to the narratives, but they would be worthless if they did not show also an intimate acquaintance with the things described. To illustrate: the very first chapter tells of an attempt to blockade the harbor entrance of Port Arthur; the reader is taken at once on board one of the blockading ships, and, as it were, is made to see and feel the danger of the undertaking, the intrepidity of the Japanese sailors and officers, the suspense of the few moments while the vessel is being steered to the place desired in a storm of Russian shot and under the Russian searchlights, while the story ends with a truthful and thrilling account of the famous deed of Hirose in sacrificing his life because he was unwilling to leave the vessel while one of his men remained behind—a feat which has almost canonized this hero in Japan. Other chapters deal with equally significant scenes in the war, on sea and on land, and it may be said that the author has shown great skill in selecting precisely those things which naturally lend themselves to graphic narrative and abound in interesting incidents. It is stated, on what authority we do not know, that "O." is a war correspondent of the London "Times," by name Captain Jones.

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Correspondence

Letters addressed to the Editors of The Outlook, to receive any attention whatever, must in all cases be accompanied by the name and address of the writer. Names will not be published if a request to that effect is made by the writer, but no attention, either personal or editorial, can be paid to anonymous communications.

Reading for Russian Prisoners

To the Editors of The Outlook:

Moved by a recent statement in The Outlook that the Russian powers that be had forbidden literature to be sent to the hospitals at the seat of war, the Society of the Friends of Russian Freedom has decided to raise $1,000 to send reading matter to the hundred thousand prisoners of war in Japan. A judicious envoy has been selected, and the right sort of literature for the rank and file of the army will be sent to these prisoners, who may thus be taught the lessons of peace which they might not otherwise learn. Americans are begged to help in this movement. Contributions should be sent to the treasurer, Mr. Arthur Bullard, 135 East Fifth Street, New York, who will personally acknowledge them.

ISABEL C. BARROWS.

To the Editors of The Outlook:

Allow me to call your attention to the sixty or more thousand Russian prisoners in Japan. My attention to their intellectual and religious needs has just been aroused, and I have at once sent them four packages of good reading matter. I feel certain that many readers of The Outlook will act on the principle expressed in the German litany of the Moravian Church: "Kann man was Gut's Aun, man Ausgern, Und dankes unserm lieben Herrn" (If you can do something good, you do it willingly, and thank your Lord for the opportunity). I have just received the following letter, translated from the French:

Dear Sir: Some days ago we received the four English newspapers sent by you to us officers imprisoned here. We cannot express our deep feelings and most profound thanks for the Christian benevolence and kindness which you have shown towards us in our unhappy condition. We have only a few Russian books, read and re-read for a long time. Imagine, then, our lively joy when we received your newspapers, which, besides the pleasure of reading, have given us much material for work, as many among us prisoners are studying the English language. The Bible, *above all*, has been received by us with the most sincere gratitude. Kindly accept, dear sir, our most distinguished regards. In the name of my comrades,

L. DE BAGNETZOFF,
Lieutenant of Cossacks.

Shizuoke, Japan.

All reading matter in English, German, or French, illustrated or not, secular or religious, may be sent at the rate of eight cents per pound, four pounds allowable in each bundle, and will do an immense amount of good. Kindly address: "For Russian Prisoners," Rev. Henry Loomis, Bible House, Yokohama, Japan.

H. T. FRUEAUFF.

Bethlehem, Pennsylvania.

American Rule in the Philippines

To the Editors of The Outlook:

I have a letter from an official of the Philippine Government which contains some piquant and pertinent comments on persons and facts of late considerably before the public in connection with British criticism of the American programme in the Philippines. I quote my correspondent, whose name I do not feel authorized to give:

"Foreman, when here last year, seemed to be laboring under the conviction, for example, that Funston's capture of Aguinaldo was a "fake" affair; that Aguinaldo was really bought off, and made a "fake" surrender. You know this story was circulated in London by a British resident of Manila, who left Manila shortly after this event took place.

"The port of Manila has been kept open all these months, while plague has been rife at Hongkong, and not one case of entry here. Hundreds of vessels have been cleaned and fumigated, with complete destruction of rats and vermin, and all this without any interruption to either traffic or commerce. But to a man of Foreman's caliber, with his prejudice, his intense jealousy of anything that does not conform to the precise British colonial pattern, this thing is an outrage and a nuisance. We can very fairly retort, however, that Hongkong is a disgrace to civilization. The laxity, the selfishness, and the cowardice of the British authorities there in permitting plague to go uncontrolled, and refusing to adopt proper quarantine regulations, have caused the civilized world to lose millions of dollars and many lives. Hongkong is the great source of contamination for the entire Pacific, and, as you well know, nearly every Pacific port in the past ten years has received plague from this vile center of contamination.

"I have great respect for the British liberal element in England in politics and in all their numerous activities. But the British colonist and administrator cares for nothing but trade and material interests, from which he will derive the chief benefit. He is absolutely indifferent to the welfare of the native except so far as it affects his pocket. He has neither the disinterestedness nor the courage to attempt such regulations for the control of disease as we have here in the islands. To see us doing it arouses a spirit in him which I do not wholly understand, but which I believe to be envy. The intellectual development of the peoples he rules appears to concern him not at all. Mr. Wilkinson, the Federal Director of Education for the Malay States, says that only two per cent. of the revenues of that State are devoted to education. Con-

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trast this with the appropriation by the Government of the Moro Province [where the people are strictly comparable to those of the Malay States], weak as it is financially, of twenty-five per cent. of its revenues for the education of the Mohammedan Malay.

". . . Ireland was not here really long enough to learn anything about the Philippines. The truth of the matter is that the people of the Philippines are so different from other peoples of the Far East with whom they are closely allied ethnologically that it seems impossible for anybody who is familiar with the administrative policies of Burma and the Malay Peninsula, and who bases his judgments upon their success, to grasp the fact that we have here a race with far different aspirations and with a very different point of culture.

". . . This is going to be a very prosperous year in this country. I was out through Bulacan last week, and I never saw such a tremendous crop of rice anywhere in the islands. The people are surely going to have 'chow.'"

The total enrollment of the public schools for October, based on the fullest returns then available, was 364,000. In his criticisms in The Outlook for last December Mr. Alleyne Ireland figured on a total enrollment for the islands of 238,000. Since he was in the islands for a brief time the school enrollment has been going up by leaps and bounds. This is a sufficient indication of the justice of the remarks of your correspondent, Mr. George Bishop, in The Outlook of January 28 last, in which he called attention to the essential unfairness of a comparison between what has been done in the Philippines in three years of peace—not throughout the entire archipelago at that—with what has been done in possessions resting under British rule, in comparative peace for decades, even centuries.

JAMES A. LE ROY.

Durango, Mexico.

"The Real Thing"—The Other Side

To the Editors of The Outlook:

When a magazine of serious purpose like The Outlook prints a story which so obviously points a moral as "The Real Thing," in the March Magazine Number, it is worth noting. May I state a few facts?

I am thirty-two years old, have six children, keep three servants, to whom I pay a little more than the average wages in my town. I entertain very little, and on the most modest scale. I have kept house eleven years, and have always had trouble to get and keep fairly good servants. For the last twenty months I have had a Swedish cook who had been in America four weeks and could say and understand "yes" and "no" when she came to me. I have *worked hard* early and late to make her what she is, and have raised her wages voluntarily until now; she is getting about two dollars a month more than the average here. She sent for her sister when she had been with me six months, and I took her the night she landed, kept her as waitress, and worked even harder to train her. She left me at the end of six months because "the family was too large"—an old, old story to me. I then took a Norwegian who knew rather more to begin with, and is now an excellent servant. At the same time I had occasion to change my nurse, and got a young Finn who is good to the babies, but otherwise only mediocre. (I always take care of the babies at night.) This girl had had an operation for mastoids before she came to me, and I discovered the wound had not healed properly. She suffered intensely with earache, and I have been up with her at all hours of the night trying to relieve her. My husband went with her to a specialist and was shown how to apply the dressing, which he did twice a week until the wound healed. We lost about two weeks of the girl's time, for which of course we paid her.

Now we are going to the shore for the summer, and they all decline to leave town, saying they want to stay in —— because there are excursions, they see more of their friends, etc. We shall be away three and one-half months, and each girl may have a week to come home (we are two hours away by rail).

I give each of them every other Sunday afternoon from two until half-past ten, and one afternoon every second week, from half-past one until any hour they choose, usually half-past ten, or even later if they go to a "ball" or theater. I have never asked one of them to give up her day out for any purpose. They also can have an evening any time during the week, and if for any special purpose they want a day, I see that they get it. Provided it does not interfere with their work, they can have company at any time, male or female.

When Mrs. Markham, in "The Real Thing," says, "She" (Mary Brady) "is the product of a day when women stayed in their homes, studied the health and comfort and peace of their families, developed their surroundings, waited, waited and worked, not expecting miracles, but realizing that they would reap what they sowed and no more," where does it leave me? I think I do all these things. I could go on indefinitely, but what is the use? Some woman who is not so fortunate as to have six children will reap the benefit of my hard work, and I will have to begin again the weary search for hopeful material, as so many times before. Of course, when one considers, it is after all only a trifle; but it does make me flag at times, and is apt to cause stagnation of ideals in the daily routine of work.

Just as an aside, I would say, my experience leads me to the opinion that Irish girls, when good at all, have more heart; but those of other nations are, as a rule, cleaner and more competent. I have tried all kinds and colors.

M. A. D.

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